

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 2570/2017

New Delhi, this the 3rd day of August, 2017

**Hon'ble Mrs. Jasmine Ahmed, Member (J)
Hon'ble Mr. Shekhar Agarwal, Member (A)**

1. Apurva Chatterjee, Tax Assistant, Group 'C'
Aged about 30 years
D/o Sh. Biswajit Chatterjee
R/o A-23, G-6, Shalimar Garden, Ext-2
Sahibabad, Gaziabad, U.P.-201005.
2. Rajshri, Tax Assistant, Group 'C'
Aged about 30 years
D/o Late Sh. Omprakash,
R/o Khasra No.69/1, Street No.18,
Behind Soap Factory, Near Oscar Public School,
Kaushik Enclave, Burari, Delhi-110084.
3. Namrata, Tax Assistant, Group 'C'
Aged about 30 years
D/o Sh. Surjan Singh,
R/o H.No.45, Sec.55, Gurgaon, Haryana
4. Sarika Yagi, Tax Assistant, Group 'C'
Aged about 29 years
D/o Sh. J.B. Tyagi
R/o 377A, DDA Falt, Ghazipur, Delhi.
5. Ratna Musahari, Tax Assistant, Group 'C'
Aged about 29 years
D/o Sh. S.C. Musahari,
R/o 74-A, DDA Flats, Pkt-B, Hari Nagar,
New Delhi.-1—64.
6. Vandana, Tax Assistant, Group 'C'
Aged about 31 years
D/o Sh. Ganga Prasad
R/o 36/1213, DDA Flats, Madangir,
New Delhi-110062.

7. Dhirendhar Kumar, Tax Assistant, Group 'C'
Aged about 32 years
S/o Sh. Mahesh Kumar
R/o WZ-1234A, Flats No.1, 1st Floor, Nangal Raya,
New Delhi-110046.
8. Aakansha Arya, Tax Assistant, Group 'C'
Aged about 30 years
D/o Sh. Prakssh Chandra Arya
R/o 475, R.K. Puram, Sec-4
New Delhi-110022
9. Smt. Ranjana, Tax Assistant, Group 'C'
Aged about 29 years
D/o Sh. Ram Naresh Thakur,
R/o RZ-26/B, Gali No.4, Maksudabad,
Najafgarh, Delhi110043.
10. Yojna Dahiya, Tax Assistant, Group 'C'
Aged about 32 years
D/o Sh. Surender Dahiya
R/o B-47, Swarn Park, Near Mundka New Delhi.
11. Kavita, Tax Assistant, Group 'C'
Aged about 28years
D/o Sh. Rampal Singh,
R/o H.No.3, Street No.22, Village Gokal Pur,
Delhi-110094.Applicants

(By Advocate: Mr. M.K.Bhardwaj)

Versus

Union of India & Ors.

1. The Secretary (Revenue)
Ministry of Finance
North Block, New Delhi.
2. Central Board of Direct Taxes
Through its Chairman
North Block , New Delhi.
3. The Principal Chief Commissioner of Income Tax
(CCA)
Delhi, CR Building,
I.P. Estate, New Delhi-110002. Respondents

(By Advocate: Mr. Satish Kumar)

ORDER (ORAL)

By Hon'ble Mrs. Jasmine Ahmed, Member (J);-

M.A No. 2718/2017 :

This M.A for joining together is allowed.

O.A 2570/2017 :

The applicants in the instant O.A are Tax Assistants and they have filed the instant O.A having aggrieved by the action of the respondents in not counting their past service rendered in the previous regions for consideration of their cases for the purpose of promotion to the post of Senior Tax Assistants and Inspectors.

2. It is submitted by the learned counsel for the applicant that the subject matter of this O.A is squarely covered by a decision of a Coordinate Bench of this Tribunal in O.A No. 4547/2015 dated 15.01.2016 and the said judgment has been implemented in respect of the applicants therein. Though the applicants are identically placed the respondents are not extending the said benefit to them.

3. Learned counsel for the respondents though not disputed the fact that the applicants are identically placed like the applicants in O.A 4547/2014 dated 15.01.2016, however, submitted that the said orders have not been

implemented and that they have challenged the said order by filing Writ Petition before the Hon'ble High Court of Delhi.

4. Since it is an admitted position that the applicants are identically placed like the applicants in O.A 4547/2015 and that as on today the decision in the said O.A is neither stayed nor interfered by any higher Court, the instant O.A is also disposed of in terms of the decision of the said O.A. However, the same is subject to the result of the Writ Petition if any, filed by the respondents. The required exercise shall be completed by the respondents within 90 days from the date of receipt of a copy of this order. No costs.

(Shekhar Agarwal)
Member (A)

(Jasmine Ahmed)
Member (J)

/mk /