

**Central Administrative Tribunal
Principal Bench**

OA No.1282/2018

New Delhi, this the 18th day of September, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Sh. B.K. Damor, Aged about 69 years
S/o Sh. K.B. Damor
R/o 107/Wilson Tower
Behind Aggarwal Samaj
Ghod Dod Road, Surat (Gujrat)
(Retired from the post of Commissioner of
Income Tax from the office of Pr. CCIT, Delhi)
...Applicant

(By Advocate: Shri S.K. Gupta)

Versus

1. Union of India through its Secretary
Department of Revenue
Ministry of Finance
North Block, New Delhi-110001.
2. Chairman, Central Board of Direct Taxes
Department of Revenue
M/o Finance, North Block
New Delhi-110001.
3. Director General of Income Tax(Vig)
1st Floor, Dayal Singh Library Building
1, Deen Dayal Upathayay Marg
New Delhi-110002.
4. Inquiry Officer/Commissioner of Dept. Inquires
Central Vigilance Commission
Satarkta Bhawan, Block A
GPO Complex, INA, New Delhi. ..Respondents

(By Advocate: Ms. Mathurima Tatia)

ORDER (ORAL)**Justice L. Narasimha Reddy:-**

This OA is filed with a prayer to set aside the order through which inquiry officer was appointed in the disciplinary proceedings against the applicant. The principal Ground urged by the applicant is that the appointment of the inquiry officer was not approved by the disciplinary authority and on the other hand, the inquiry officer was appointed on the basis of delegation of powers.

2. During the pendency of the OA, the disciplinary authority has accorded approval for appointment of inquiry officer through note dated 10.07.2018 and the same is made part of record. With the appointment of the new inquiry officer, the difficulty pointed out by the applicant stands removed as the appointment of new inquiry officer shall become legal.

3. We, therefore, dispose of the OA taking note of this development and holding that the appointment of

the inquiry officer, so proposed, does not suffer from any legal infirmity. There shall be no order as to costs.

(Aradhana Johri)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

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