

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA-2901/2018  
MA-3244/2018**

**New Delhi, this the 02<sup>nd</sup> day of August, 2018**

**Hon'ble Sh. V. Ajay Kumar, Member(J)  
Hon'ble Sh. A.K. Bishnoi, Member(A)**

1. Bikram Kumar Kesri,  
Senior Tax Assistant (B),  
Aged about 36 years,  
S/o Sh. Srinivas Kesri,  
R/o Plot No. RK-79 & RK-78,  
T/F Right Gali No.-21, R.K. Block,  
Mohan Garden, Uttam Nagar,  
New Delhi-110059.  
Working as Sr. Tax Assistant in the office of the  
Directorate General of Goods and Service Tax  
Intelligence (Hqrs.), New Delhi.
2. Shivani Kumar, Senior Tax Assistant, (B),  
Aged about 28years,  
d/o Sh. Rajesh Kumar,  
R/o RU-450 DDA MIG Flats, Vishakha Enclave,  
Pitam Pura, Delhi-34.  
Working as Sr. Tax Assistant in the office of the  
Directorate of Revenue Intelligence, (Hqrs), New Delhi.
3. Savita Rani, Senior Tax Assistant (B),  
Aged about 29 years,  
D/o Sh. Naresh kumar Siwatch  
R/o 1/281, G-1, Near Vanasthali Public School,  
Vasundhara, Ghaziabad, UP,  
Working as Sr. Tax Assistant in the office of the  
Directorate of Revenue Intelligence (Hqrs.), New Delhi.
4. Sunil Dutt Gaur, Senior Tax Assistant, (B),  
Aged about 32 years,  
s/o Sh. Ramesh Gaur,  
R/o A-130, 4<sup>th</sup> Floor, Rama Park,  
Near Dwarka Mor Metro Station,  
New Delhi-110059  
Working as Sr. Tax Assistant in the office of the  
Directorate of Revenue Intelligence, (Hqrs.), New Delhi.
5. Naveen Jha, Senior Tax Assistant, (B),  
Aged about 31 years,  
s/o SH. Dev Chand Jha,  
R/o H.No. 1852/1, Lane No. 40A, Sanjay Colony,  
Sector 23, Faridabad, Haryana,

Working as Sr. Tax Assistant in the office of the Directorate of Revenue Intelligence, (HQrs.), New Delhi.

6. Akhil Baliyan, Senior Tax Assistant, (B),  
Aged about 31 years,  
s/o SH. Devendra Singh,  
R/o A-2/20, Bhajanpura, Delhi- 53  
Working as Sr. Tax Assistant in the office of the Directorate General of Goods and Service Tax Intelligence (Hqrs.), New Delhi.
7. Shashank Sharma, Senior Tax Assistant, (B),  
Aged about 29 years,  
s/o SH. Laxmi Kant Sharma,  
R/o D-84, Ganesh Nagar,  
Pandav Nagar Complex, Delhi-92  
Working as Sr. Tax Assistant in the office of the Directorate of Revenue Intelligence, (HQrs.), New Delhi.
8. Mohit Chauhan, Senior Tax Assistant, (B),  
Aged about 29 years,  
S/o Sh. Rajbir Singh Chauhan,  
R/o 335 Near Ambedkar Park, Tigipur Road,  
Bkhtawarpur, Delhi-110036  
Working as Sr.Tax Assistant in the office of the Directorate of Revenue Intelligence, (Hqrs.), New Delhi.
9. Anuradha, Senior Tax Assistant (B),  
Aged about 30 years,  
D/o Sh. Babu Ram  
R/o A-36, 2<sup>nd</sup> Floor, Gali No.3, Indra Nagar,  
Adarsh Nagar, Delhi-33  
Working as Sr. Tax Assistant in the office of the Directorate General of Goods and Service Tax Intelligence (Hqrs.), New Delhi.
10. Anurag Gupta, Senior Tax Assistant (B),  
Aged about 26 years,  
S/o Sh. Kamlesh Gupta,  
R/o A-33, Ganesh Nagar,  
Pandav Nagar Complex, Delhi-92  
Working as Sr. Tax Assistant in the office of the Directorate of Revenue Intelligence, (Hqrs.), New Delhi
11. Surendra Kumar, Senior Tax Assistant (B),  
Aged about 36 years,  
S/o Sh. Jagdish Prasad,  
R/o Qtr. No.56, Road No.08, Andrews Ganj,  
New Delhi-110049  
Working as Sr.Tax Assistant in the office of the Directorate of Revenue Intelligence, (Hqrs.), New Delhi

12. Praveen Kumar, Senior Tax Assistant, (B),  
 Aged about 30years,  
 S/o SH. Niku Ram  
 R/o 24, Type III, Income Tax Colony,  
 Tagore Nagar, Ludhiana, Punjab  
 Working as Sr. Tax Assistant in the office of the  
 Directorate General of Goods and Service Tax  
 Intelligence , Ludhiana Zonal Unit, Ludhiana. ... Applicants

(Through Sh. M.K. Bhardwaj)

Versus

1. Union of India & Ors.,  
 Through its Secretary (Revenue)  
 Ministry of Finance,  
 North Block, New Delhi
2. The Chairman  
 Central Board of Indirect Taxes & Customs North Block,  
 New Delhi
3. The Director General,  
 Directorate of Revenue Intelligence,  
 7<sup>th</sup> Floor, Drum Shape Building,  
 D-Block, I.P. Bhawan, I.P.Estate  
 New Delhi-110002. ... Respondents

(through Sh. M.S. Reen)

### **ORDER(ORAL)**

**Hon'ble Sh. V. Ajay Kumar, Member(J)**

Heard Sh. M.K. Bharadwaj, learned counsel for the applicants and Sh. M.S. Reen for the respondents on receipt of advance notice.

**MA No. 3244/2018** filed for joining together is allowed.

2. The applicants, who are presently working as Senior Tax Assistants, filed this OA seeking the following reliefs:

"(i)To declare the action of respondents in not appointing the applicants to the post of Intelligence Officer on transfer in DRI, CBEC, Ministry of Finance as illegal, arbitrary and

unconstitutional and direct the respondents to appoint the applicants as Intelligence Officer in DRI on transfer as per relevant RRs with all consequential benefits including arrears of pay.

(ii) To direct the respondents to appoint the applicants as Intelligence Officer in DRI against 15 available vacancies as per relevant RRs dated 11.08.1990 with all consequential benefits

(iii) To declare the action of respondents in denying appointment to the applicants on the basis of letter dated 20.03.2018 as illegal and direct the respondents not to deny appointment to the applicants to the post of Intelligence Officer on transfer on the basis of letter dated 20.03.2018

(iv) To allow the OA with exemplary costs on the respondents.

(v) Any other or further relief which the Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case. "

3. It is submitted that the applicants made number of representations including Annexure A-1 (Colly.) ventilating their grievances to the respondents. However, no orders have been passed thereon till date.

4. In the circumstances, the instant OA is disposed of at the admission stage itself, without going into the merits of the case by directing the respondents to consider the (Annexure A-1 (Colly.)) representations of the applicants and to pass appropriate reasoned and speaking orders thereon within sixty days from the date of receipt of a certified copy of this order, in accordance with law. No costs.

Let a copy of the OA, be enclosed to this order.

**(A.K. Bishnoi)**  
**Member(A)**

**(V. Ajay Kumar)**  
**Member(J)**

/ns/