

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

**R.A No. 52/2018 in
O.A No. 2041/2009
M.As No. 1285/2018, 1286/2018 & 1287/2018**

New Delhi, this the 20th day of August, 2018

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

1. Union of India through
The Secretary,
Ministry of Finance,
Department of Revenue,
North Block, New Delhi – 110 001.
2. The Chairman
CBDT, Ministry of Finance,
Department of Revenue, North Block,
New Delhi-110 001.Review Applicants

(Applicant in person)

Versus

Shri R. D. Gupta
Commissioner of Income Tax (Appeal)
Ajmer, Rajasthan,
R/o. C-803, HEXTAX Commune,
Sector-43 Part,
Gurgaon (Haryana)Respondent

(By Advocate : Mr. Hanu Bhaskar)

O R D E R (O R A L)

Justice L. Narasimha Reddy, Chairman :

This is a litigation which has consumed precious time of this Tribunal, be it in the form of initial adjudication or after remand by the Hon'ble High Court. The controversy

is so severe that on one hand the applicant filed Miscellaneous Application for implementation of the order passed in the O.A and the respondents on the other hand filed a Review Application. After we heard the matter almost for one hour, the applicant stated that he filed two Writ Petitions being W.P (C) Nos. 2207 and 2210/2016, feeling aggrieved by the common order in O.A Nos. 750/2009 and 2041/2009 respectively. That being the case, the question of entertaining the Review Application does not arise. The applicant cannot seek selective implementation of the order, that too even while the Writ Petitions filed by him are pending. It is better that the parties await the adjudication of the High Court.

2. We, therefore, close the M.As and R.A leaving it open to the respective applicants to approach the Tribunal, if necessary, depending upon the outcome of the adjudication of the two Writ Petitions mentioned above.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/Mbt/