

**Central Administrative Tribunal
Madras Bench**

MA/310/00034/2018 (in)(&) OA/310/01850/2017

Dated Monday the 22nd day of January Two Thousand Eighteen

P R E S E N T

Hon'ble Mr. R.Ramanujam, Member(A)

S.Usha
Inspector, Income Tax,
Coimbatore.

.. Applicant

By Advocate **M/s.Ratio Legis**

Vs.

1. TheUnion of India, rep by
The Chairperson,
Central Board of Direct Taxes,
North Block, New Delhi.
 2. The Principal Chief Commissioner for Income Tax,
Ayakar Bhavan, N H Road,
Nungambakkam, Chennai.
 3. The Secretary,
Dept. of Personnel & training,
North Block, New Delhi.
- .. Respondents

By Advocate **Mr.M.T.Arunan(CFR in OA & CFA in MA)**

ORAL ORDER

Pronounced by Hon'ble Mr.R.Ramanujam, Member(A)

The applicant has filed this OA seeking the following relief:-

“to direct the respondents to fix the seniority of the applicant in strict accordance with the office memorandum dated 07.02.1986/03.07.1986 duly replacing that made vide letter dated 31.10.2016 with all the attendant benefits and to pass such other order/orders as this Hon'ble Tribunal may deem fit and proper and thus to render justice.”

2. Heard. Learned counsel for either side would submit in unison that since this matter is similar to OA 1755/2017, this OA may be disposed of on the same lines.

3. Learned counsel for the MA applicant submits that the matter regarding fixation of seniority of direct recruit Inspectors of vacancy year 2009-10 and 2010-11 selected for appointment by SCC from CGLE-2010 had been reconsidered and necessary clarification obtained from the Central Board of Direct Taxes. A copy of the clarification dated 17.1.2018 is produced and is taken on record. It is accordingly prayed that the matter be allowed to be decided in terms of the said clarification.

4. Learned counsel for the applicant in the OA submits that the applicant is satisfied with the said clarification and prays for action to be taken accordingly within a time limit to be stipulated by this Tribunal. He would, however, urge that as some persons who would be junior to the applicant in terms of the aforesaid clarification have already been promoted, the applicant would be entitled to

promotion from the same date as the juniors unless the latter are reverted.

5. In view of the admitted fact that the said clarification settled the dispute raised by the applicant in the OA, the OA is disposed of with a direction to the respondents to take follow up action and pass orders regarding the promotion of the applicant as also the effective date thereof in accordance with the relevant rules within a period of three months from the date of receipt of a copy of this order.

6. MA also stands disposed of in the light of the above direction. No costs.

(R.Ramanujam)
Member(A)

22.01.2018

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