

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**MUMBAI BENCH, MUMBAI.**

**ORIGINAL APPLICATION No.653/2016**

**Date of Decision: 27.09.2018.**

***CORAM:HON'BLE DR. BHAGWAN SAHAI, MEMBER (A)***  
***HON'BLE SHRI R.N. SINGH, MEMBER (J)***

Smt. Sumitra Banerji  
 Aged 47 years,  
 Additional Commissioner of Income Tax,  
 ITAT Pune,  
 R/at 23/24 Madhuban, Deonar Farm Road,  
 Govandi, Mumbai 400 088. ... *Applicant*  
*(By Advocate Ms. Ruju Thakker)*

**VERSUS**

1. Union of India,  
 Through the Chairman,  
 Ministry of Finance,  
 Department of Revenue,  
 Central Board of Direct Taxes,  
 North Block, New Delhi 110 001.
2. The Chief Commissioner of Income-Tax,  
 Aaykar Bhavan, Sadhu Vasvani Marg,  
 Pune 411 001. ... *Respondents*

*(By Advocate Shri P. Khosla, holding  
 for Shri V.B. Joshi)*

**ORDER** (Oral)  
*Per : Shri R.N. Singh, Member (J)*

By this OA, the applicant has challenged the order No.F.No.A-22012/01/2016-Ad.VI (Order No.163/2016) dated 14.09.2016 by which she was transferred from Pune to Nagpur. One of the strongest grounds raised to challenge the aforesaid OA is that she was required to face the trial before

the Additional Sessions Judge, CBI Special Court, Mumbai and keeping in view of this fact only this Tribunal has granted interim relief against the impugned transfer order dated 14.09.2016. Learned counsel for the applicant further submitted that during the pendency of the OA, the applicant has been convicted by the Sessions Court and though the said conviction order has been challenged before the Hon'ble Bombay High Court, however there is no stay against the conviction and sentence.

**2.** The learned counsel for the applicant further submits that the applicant has been suspended vide order dated 19.09.2018 and her headquarters has been made Pune.

**3.** In the facts and circumstances, nothing survives in this OA. Accordingly, the OA is dismissed. No order as to costs.

**(R.N. Singh)**  
**Member (J)**

**(Dr. Bhagwan Sahai)**  
**Member (A)**

*dm.*