

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3640/2016

(SHRI RAM KRISHNA & OTHERS **VERSUS** UNION OF INDIA & OTHERS)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri P.P. Thakare, counsel for the petitioners.

CORAM : SMT.VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : JUNE 30, 2016.

By this writ petition, the petitioners challenge the order of the Ministry of Finance, Department of Revenue, Central Board of Direct Taxes that directs that the procedure for promotion be considered in light of the clarification given by D.O.P.T.

It is the case of the petitioners, who are working as Sales Tax Assistants, that from the impugned communication-circular, dated 18.03.2016, it appears that the Departmental Promotion Committee would be constituted as per the Board's Office Memorandum, dated 10.08.2010, that is stayed by this Court.

The petition is premature. The communication cannot be impugned in the petition. If a Department Promotion Committee is not constituted in accordance with law or is constituted as per the memorandum that is stayed by the High Court and the promotions are effected, a cause of action would arise for filing appropriate proceedings. The petition is premature and the same cannot be entertained.

In view of the aforesaid, we dismiss the writ petition with no order as to costs.

The points raised in the petition are kept open.

JUDGE

JUDGE