

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16742 of 2017

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1. Prasun Kumar Jha, S/o Arbind Kumar Jha, Resident of Flat No- 501, Ganga Darshan Apartment, Chanakya Vihar Colony, Ps- Barari, Dist- Bhagalpur- 812003 at present posted as Inspector of Income Tax Recovery Officer, Kachari Chouk, Bhagalpur- 812001.
 2. Rajeev Kumar, S/o Ramakant Dubey, Magadh Colony, Chandaui More, Behind Transmission I.B. (on Nala), P.S.- Gaya, Dist- Gaya- 823001 at present posted as Inspector of Income Tax in Office of Income Tax Officer, Ward-3(1), Ranchi.
 3. Gaurav Kumar, S/o Arun Mahaseth, Vill- Pandasari, PS- Laheriasari, Dist- Darbhanga, Bihar- 846001, Inspector of Income Tax, at present posted in Office of ITO (TDS), Darbhanga, Aayakar Bhawan, Opposite- Old Bus Stand, Lalbagh, Darbhanga- 846004.
 4. Satyendra Kumar, S/o Janak Nandan Prasad, Village- Chainpur, Near Jogapur, PO & PS- Sherghati, Dist- Gaya, Bihar- 824211, at present posted as Inspector of Income Tax posted in Office of Assistant Commissioner of Income Tax, Circle-1, Ranchi.
 5. Vivek, S/o Late Ram Niwas Sinha, Singh Sadan, Pokharipir, Sadpura, PO- Ramna, Dist- Muzaffarpur- 842002, Bihar at present posted as Inspector of Income Tax in Office of Pr. Commissioner of Income Tax, Bela, Kothi Post Office, MIC, Muzaffarpur.
 6. Ajay Kumar, S/o Late Yadunandan Prasad, Krishna Kutir, Azad Path, PS- Chandmari Road, Dist- Patna- 800020, Bihar at present posted as Inspector of Income Tax in Office of the Deputy Commissioner of Income Tax, C.R. Building, Ranchi.
 7. S.N. Ashraf Ali, S/o Ashfaq Ahmad, 3rd Floor, ALA Complex, Brahmapura Road, Near Madina Masjid, PS- Bhikhanpur, Dist- Bhagalpur, Bihar at present posted as Inspector of Income Tax, in Office of Income Tax Officer, Ward-1(1) Bhagalpur, R.N. Plaza, Kachari Chouk, Bhagalpur.
 8. Abhishek Kumar, S/o Chandra Mohan Prasad Sinha, Type-III/14, Income Tax Colony, PS- Lalpur, Dist- Ranchi- 834001, at present posted as Inspector, in Office of Deputy Director of Income Tax (Inv), Ranchi.
 9. Deepak Kumar, S/o Chandrika Prasad, Vill+PO- Jharana Saren, PS- Nimchak Bathani, Dist- Gaya, Bihar- 843311, at present posted as Inspector of Income Tax Officer (TDS), Bokaro.
 10. Pankaj Kumar Jha, S/o Vijay Kumar Jha, Vill- Dharhara, PO- Ganpatganj, Dist- Supaul, Bihar- 852109 at present posted as Inspector of Income Tax, in Office of Assistant Commissioner of Income Tax, Circle-2, Lok Nayak Jay Prakash Bhawan, Dak Bungalow Road, Patna- 800001.

..... Petitioners

Versus

1. The Union of India through the Secretary, Ministry of Finance, Government of India, Department of Revenue, New Delhi- 110001.
2. The Chairman, Central Board of Direct Tax, Ministry of Finance, Ministry of Finance, Government of India, Department of Revenue, New Delhi- 110001.
3. The Member of Income Tax (V & L), Ministry of Finance, Government of India, Department of Revenue, New Delhi- 110001.
4. The Director of Income Tax (HRD) Central Board of Direct Tax, ICADR Building, Plot No-6, Basant Kung Institutional Area, Phase-II, Ministry of Finance, Government of India, Department of Revenue, New Delhi- 110001.



5. The Principal Chief Commissioner of Income Tax (CCA) Bihar & Jharkhand, C.R. Building, Birchand Patel Path, Patna- 800001.

..... Respondent 1st Set.

6. Manju Rani Sharma, W/o Sri Prem Chandra Sharma, Inspector of Income Tax, Office of the Principal Chief Commissioner of Income Tax (B&J), Ist Floor, C.R. Building, Birchand Patel Path, Patna-800001.

.... Respondents 2nd set.

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Appearance:

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Advocate.
For the Respondent no.1:		Mr. S.D. Sanjay, Addl. Solicitor General with Ms. Kanak Verma, C.G.C.
For the Respondent 2 nd set:		Mr. Naresh Dixit, Advocate.
For the Respondent no. 6:		Mr. M.P. Dixit, Mr. S.K. Dixit, Mr. Sanjay Kumar Choubey, Mrs. Swastika, Mr. Shailendra Kumar and Mr. Sunil Kumar, Advocates.
For Private Respondent:		Mr. M.P. Dixit, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 27-02-2018

Heard learned counsel for the parties including learned Additional Solicitor General representing Union of India assisted by Ms. Kanak Verma, C.G.C.

The issue raised in this Writ Application has been answered in a detail order dated 06.02.2018 passed in a related Writ Application which was CWJC No. 17935 of 2017.

All the reasons assigned in the above Writ Application squarely answers the questions which are identical in nature in the present Writ Application, therefore, this Writ Application is allowed.

The reasons so provided in the order dated 06.02.2018



passed in CWJC No. 17935 of 2017 shall also cover this case. As a consequence thereof, the impugned order dated 10.10.2017 passed by the Central Administrative Tribunal, Patna Bench, Patna in O.A. No. 223 of 2017 stands quashed. The seniority list dated 29.07.2016 stands restored.

The Writ Application stands disposed of accordingly.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28.02.2018
Transmission Date	N/A

