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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4434/2024**

NITIN KUMAR CHAUHAN

..... Petitioner

Through: Mr. Raghvendra Pratap Pandey, Mr.
S. D. Rathore, Mr. Faraz Mohd. Zaidi
and Mr. Yogendra Kumar, Advocates

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Ravi Prakash, CGSC with Mr.
Adil Taqvi, GP with Mr. Yasharth,
Mr. Ashu and Mr. Ayushman,
Advocates for UOI

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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22.03.2024

CM APPL. 18205/2024 (for exemption)

Allowed, subject to all just exceptions.

Accordingly, the present application stands disposed of.

W.P.(C) 4434/2024

1. Present writ petition has been filed challenging the appointment of respondent no. 5 as an Accountant Member of Income Tax Appellate Tribunal (ITAT), Lucknow.
2. Learned counsel for Respondent/Union of India, who appears on advance notice, states that the appointment letter of Respondent No. 5 in pursuance to the ACC clearance has not been issued. He clarifies that the



Respondent No. 5's appointment has been placed on hold. He states that the material against Respondent No. 5 is being examined by the Respondent/Union of India and only after considering the same a final decision shall be taken.

3. In view of the aforesaid statement, this Court is of the view of the present writ petition is pre-mature.

4. In the event, the Respondent No. 5 is appointed to the post of Member of Income Tax Appellate Tribunal, the Petitioner shall be at liberty to file a fresh petition. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MARCH 22, 2024/rhc