

CENTRAL ADMINISTRATIVE TRIBUNAL AHMEDABAD

Order Sheet

Item no.: 21
O.A./427/2015 (AHMEDABAD)
[SENIORITY]
Court No.: 1

No of Adjournment: 33

Order Dated: 19/10/2023

DINANATH M NIMJE
Vs
D/O INCOME TAX

For Applicant(s) Advocate : M S TRIVEDI

For Respondent(s) Advocate : MAITHILI D MEHTA

Order of The Tribunal

Mr. M.S.Trivedi, counsel for the applicant is present.

Ms. M.D.Mehta counsel for the respondents is present.

Counsel for the applicant submits that he would be submitting his written arguments on the issue raised by the respondents as it is necessary to bring before this Tribunal in view of the situation pertaining to the reference made to the Meghachandra's case considered by the Full Bench.

In view of the fact that interim relief granted on the basis of the decision in Meghachandra's case has since been vacated and matter has been referred before larger Five Judge Constitutional Bench of the Hon'ble Apex Court in **SCA No.16161/2018** in case of *Hariharan & Ors. V/s. Harshvardhan Singh Rao & Ors..*

In view of the above, the request to file written arguments by the counsel for the applicant is allowed.

Learned counsel for the respondents submits a copy of the intimation by which the respondents department is to hear the matter apropos of the OA

No.427/2015 (this OA). It is taken on record. On perusal of the same, it reveals that it is necessary to bring a copy of the OM dated 04.03.2014 as well as DoPT OM dated 13.08.2021 as these two OM eventually govern the issue of determining the *inter se* seniority. This may be done within a week's time to.

Arguments heard and concluded.

'ORDER' reserved.

**Umesh Gajankush
Member (J)**

**A K Dubey
Member (A)**

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