

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI.

OA-1365/2002

New Delhi this the 23rd day of May, 2002.

Hon'ble Dr. A. Vedavalli, Member(J)
Hon'ble Sh. Govindan S. Tampi, Member(A)

Sh. S. Karthik,
S/o Sh. V. Sivaprakasam,
R/o 1122, R.K. Puram,
Sector-IV,
New Delhi-22. Applicant

(through Sh. A.K. Behera, Advocate)

Versus

1. Union of India through
the Secretary(Revenue),
Ministry of Finance,
North Block,
New Delhi-1.
2. The Chief Commissioner of Income Tax,
C.R. Building, I.P. Estate,
New Delhi-2.
3. Director of Income Tax(Systems),
Directorate of Income Tax (Systems),
ARA Centre, Ground Floor,
E-2, Jhandewalan Extension,
New Delhi-55.
4. Sh. Vikrant Khanna,
DPA Grade 'B',
Office of the Commissioner of Income Tax,
(Computer Operations),
East Block-II, Level-III,
R.K. Puram,
New Delhi-66. Respondents

ORDER (ORAL)

Hon'ble Dr. A. Vedavalli, Member(J)

Heard the learned counsel for applicant.

2. The applicant S. Karthik is aggrieved
by the alleged illegal and arbitrary action of the
respondents in not assigning him his seniority in

AK

accordance with the All India merit list dated 19.4.2001 (Annexure A-4) which was circulated after the open competitive written examination and the interviews for Direct recruits were held for the post of Data Processing Assistant (Grade-A) pursuant to the Advertisement dated 25.11.1995 (Annexure A-1).

3. Learned counsel for the applicant Sh. A.K. Behera submits that the applicant has submitted representations dated 19.06.2001 (Annexure A-5) and 10.08.2001 (Annexure A-6) regarding the correction of his name in the aforesaid first merit list dated 19.04.2001 (Annexure A-4) and further representations dated 05.10.2001 (Annexure A-8), 07.11.2001 (Annexure A-9) and 04.01.2002 (Annexure A-10) regarding his position in the revised merit list dated 14.09.2001 (Annexure A-7) and his promotion to Data Processing Assistant (Grade-B). He states that there is no response from the respondents regarding all the aforesaid representations and they are still pending with them since a long time. Learned counsel for the applicant agrees that this OA can be disposed of at the admission stage itself with a direction to the respondents to dispose of all his representations within a fixed time frame with liberty to approach this Tribunal again if any grievance survives thereafter.

4. On a consideration of the matter and after hearing the learned counsel for the applicant,

AV

3

the OA is disposed of at the admission stage itself with the following directions:-

(i) The respondents are directed to examine all the aforesaid representations on their merits in the light of the relevant rules/instructions and judicial pronouncements on the subject and dispose of the same with a detailed and speaking order under intimation to the applicant within six weeks from the date of receipt of a copy of this order.

(ii) If any grievance still survives thereafter, it will be open to the applicant to approach this Tribunal through an MA for reviving this OA, if so advised, in accordance with law.

5. Registry is directed to send a copy of the OA to the respondents alongwith a copy of this order.

(Govindan S. Tampi)
Member (A)

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

/vv/