

Central Administrative Tribunal, Principal Bench

Original Application No.3287 of 2001

New Delhi, this the 10th day of December, 2001

Hon'ble Mr. Justice Ashok Agarwal, Chairman  
Hon'ble Mr. S. A. T. Rizvi, Member(A)

Pradipta Kumar Kar  
S/o Shri Narasinha Kar,  
Aged 44 years  
R/o Type-III, Qrs. No. 11  
New Block, Central Revenue Colony,  
Rajaswa Vihar,  
Bhubaneswar-751004

....Applicant

(By Advocate: Shri A.K. Behra)

Versus

1. Union of India  
Through the Secretary,  
Ministry of Finance,  
Department of Revenue,  
North Block, New Delhi-1

2. The Chairman  
Central Board of Direct Taxes  
North Block, New Delhi-1

3. Director Income Tax (Systems)  
ARA Building, Jhandewalan Extension  
New Delhi

4. Chief Commissioner of Income Tax  
Orissa Region, 1st Floor  
Aayakar Bhawan, Rajaswa Vihar,  
Bhubaneswar-751004

....Respondents

O R D E R (ORAL)

By Hon'ble Mr. S. A. T. Rizvi, Member (A)

Applicant who is a Programme Assistant/Console Operator re-designated as Data Processing Assistant Group 'B', is an aspirant for promotion to the post of Programmer re-designated as Assistant Director (Systems) in the same way in which the applicants in OA No. 2516/2000 were aspirants for promotion to the same post. In the aforesaid OA decided by this Tribunal on 19.4.2001, directions were issued to the respondents.

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authority in the following terms:

"ii) Declare that the service rendered by the applicants as Programme Assistant/Console Operator from the date of their initial deputation to the date of their absorption as regular service for the purpose of being considered for promotion as Programmer, Group 'A'/Assistant Director System;

~~ii) Direct the respondents to consider the applicants for promotion as Programmer Group 'A'/Assistant Director System from the date, if found fit by the DPC/review DPC with all consequential benefits;~~ Paragraph replaced by order dt. 8/8/01 reproduced below

iii) Direct the respondents to consider the applicants for promotion as Programmer Group 'A'/Assistant Director, System from the due date and to promote them as such from the said date, if found fit by the DPC/review DPC with all consequential benefits."

2. According to the learned counsel, in the present OA also, the question involved is that of counting of the period <sup>from</sup> of initial deputation to the date of absorption as regular service. The relief in question was allowed in the aforesaid OA. The present OA is thus fully covered by the orders passed in the aforesaid OA.

3. In the aforesaid circumstances, we find it just and proper to dispose of the present OA at this very stage without issuing notices with a direction to the respondents to consider the claim of the applicant by keeping in view the orders passed by this Tribunal in OA No.2516/2000 and the representations filed by the applicant and pass speaking and reasoned orders within a

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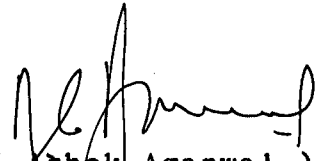
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period of two months from the date of receipt of a copy of this order. We direct accordingly. O.A. is disposed of in the aforestated terms.



( S.A.T. Rizvi )  
Member(A)

/dkm/

  
( Ashok Agarwal )  
Chairman