

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

OA NO. 2874/2004

This the 13<sup>th</sup> day of December, 2004

HON'BLE MR. JUSTICE M.A. KHAN, VICE CHAIRMAN (J)  
HON'BLE MR. S.A.SINGH, MEMBER (A)

Sh. S.N.Prasad  
R/o D-1, IT Flat No.1,  
Satya Marg, Chankya Puri,  
New Delhi-110021.

(By Advocate: Sh. G.D.Gupta alongwith Sh. S.K.Sinha)

Versus

1. Union of India through  
The Secretary,  
Department of Revenue,  
Ministry of Finance, North Block,  
New Delhi-110001.
2. The Secretary,  
Department of Personnel and Training,  
Ministry of Personnel,  
Public Grievance and Pension,  
North Block,  
New Delhi-110003.
3. The Chairman,  
Central Board of Direct Taxes,  
North Block, New Delhi-110001.
4. The Chief Commissioner of Income Tax-1,  
CR Building, I.P.Estate,  
New Delhi-2.

ORDER (ORAL)

By Hon'ble Mr. Justice M.A.Khan, Vice Chairman (J)

Applicant has filed this OA for a direction to the respondents to open the sealed cover in respect of the applicant and grant the promotion to the post of Chief Commissioner of Income Tax on the basis of the recommendation of the DPC held on 5/6<sup>th</sup> February, 2001 and other consequential benefits. One of the averment made in the application is that after the disciplinary proceedings concluded he had submitted representations to the respondents to open the sealed

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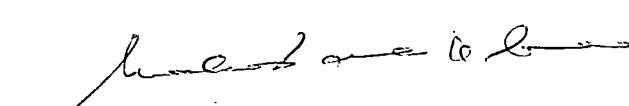
cover and in case his name is recommended by the DPC for promotion ~~that~~ he be granted promotion but his representations have not been considered by the respondents and they are still pending. He submitted that the applicant will submit an additional/supplementary representation also. He requested that respondents be directed to consider his representations and decide them within the time allowed by the Tribunal. We agree.

2. Having regard to the facts and circumstances of the case, we are of the considered view that this OA may be disposed of at this stage even without issuing formal notice on the respondents.

3. Accordingly, we direct the respondents to consider the representations of the applicant which are Annexure A-5 and A-6 to the OA and dispose them of by a speaking and reasoned order within two months from the date of which the copy of the order along with the copies of the representations Annexure A-5 and A-6 to the OA and any other additional/supplementary representation which the ~~had~~ applicant submitted to the respondents. Copy of the order, the representation and the supplementary representation, if any, shall be submitted by the applicant to the appropriate authority within 15 days as undertaken. OA stands disposed off with the above direction. Dasti.

  
(S.A. SINGH)

Member (A)

  
(M.A. KHAN)  
Vice Chairman (J)

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