

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO. 1320/2004

New Delhi, this the 27th day of May, 2004

HON'BLE MR. SARWESHWAR JHA, MEMBER (A)

In the matter of:

Shri J.P. Hileri,  
S/o Late Shri Mannu Lal,  
R/o 146, Manoranjan Park,  
Saket, Meerut,  
Uttar Pradesh

(By Advocate : Shri Rajeev Kumar)

.... Applicant

Versus

1. Union of India,  
through its Secretary,  
Ministry of Finance,  
Department of Revenue,  
CBDT, North Block,  
New Delhi

2. Hon'ble President of India,  
Through Under Secretary,  
Ministry of Finance,  
North Block,  
New Delhi

.... Respondents

ORDER (ORAL)

Heard.

2. This Original Application has been filed with the prayer that the review petition which has been filed by the applicant against the order of imposition of minor penalty of reduction of pay to the lowest stage for a period of three years has not been disposed of by the Reviewing Authority inspite of the fact that almost five months have elapsed since the review application has been filed.

3. The applicant, who belongs to the 1973 batch of the IRS (Indian Revenue Service), and who is presently serving as Additional Commissioner of Income Tax, has missed his promotion and has been superseded by his juniors for the reason that a minor penalty of reduction of pay to the

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(3)

lowest stage for a period of three years, as has been mentioned, has been imposed on him vide respondents' order dated 19.2.2002 (Annexure A-1). The applicant had initially filed a review petition with the Central Board of Direct Taxes within the period of limitation on 19.2.2002. However, on having been pointed out that the said review petition should have been addressed to the President of India, he preferred another review petition on 22.12.2003 and the same has been pending with the Reviewing Authority. The applicant's limited prayer is that this OA may be considered and disposed of with ~~as~~ direction to the respondents to consider his review petition and to dispose it of.

4. Having considered the facts of the matter and the limited prayer of the applicant, this OA is disposed of at the admission stage itself with a direction to the respondents (Secretary, Ministry of Finance, New Delhi) to consider the prayer as made by the applicant in this OA, treating the same also as another representation of the applicant, and to ensure that the review petition which has been filed by the applicant in the matter of minor penalty imposed on him is considered and disposed of by the concerned authority without any further delay, and in any case within two months from the date of receipt of a copy of this order.

5. With this, the OA stands disposed of.

  
 (Sarveshwar Jha)  
 Member (A)

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