CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
(THROUGH VIDEO CONFERENCING)

Original Application No. 332/00036/2021

Date of Order: This, the 19th Day of February, 2021

THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER
THE HON'BLE MR N NEIHSIAL, ADMINISTRATIVE MEMBER

Monika Kumari aged about
31 years D/O Sri Ashok Kumar
R/O 491/19, Munshiganj, Daliganj,
Lucknow.

... Applicant

- Versus -

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

2. The Chairman, Central Board of Direct Taxes,
   Ministry of Finance, North Block, New Delhi.

3. Pr. DGIT (HRD), 2nd Floor,
   Jawaharlal Nehru Stadium, New Delhi

4. Principal Chief Commissioner of Income Tax,
   Aaykar Bhawan, 5-Ashok Marg, Lucknow

5. Additional Director General (Exam & OL) Central Board of Direct Taxes, Official Language Division, Mayur Bhawan, Connaught Circus, New Delhi.

6. Zonal Account Officer, CBDT Lucknow, Raja Ram Mohan Rai Marg, Radha Kunti Bhawan, Lucknow.

.....Respondents.

For the Applicant: Sri Vinay Mishra

For the Respondents: Smt Prayagmati Gupta

ORDER (ORAL)

MANJULA DAS, MEMBER (J):

This matter has been taken up for consideration through video conferencing..

2. In this OA filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant is seeking the following relief(s):-

"8.1 That this Hon'ble Tribunal may be pleased to direct the opposite parties to consider the case of the applicant for promotion on the post of senior translation officer on the basis of her eligibility so required for the post the as per the Recruitment Rules so framed for senior translators, in the interest of justice.

2. That this Hon'ble Tribunal may be pleased to direct the opposite parties to convene the D.P.C. to consider the case of the applicant for promotion on the post of senior translation officer considering the fact that the applicant has put in six years of regular service in the grade of junior translation officer and the minimum eligibility criteria so required as per the Recruitment Rules is five years regular service in the grade, in the interest of justice."

3. Heard Sri Vinay Mishra, learned counsel for the applicant and Smt Prayagmati Gupta, learned counsel for the respondents.

4. Learned counsel for the applicant submitted that ,applicant is presently working as Junior Hindi

Translation Officer in the office of the Principal Chief Commissioner of Income Tax, U.P. (East), Lucknow. According to the learned counsel, her next promotional post is Senior Translation Officer which is to be filled up by promotion as per the relevant Recruitment Rules. Learned counsel submitted applicant is eligible to be considered by the DPC for such promotion but no DPC was held for promotion.

5. Learned counsel further submitted that applicant submitted that applicant had submitted three representations on 19.05.2020, 10.07.2020 and 05.08.2020 with a prayer that his case may be placed before DPC as when convened, but till date nothing has happened.

6. On the other hand, learned counsel for the respondents submitted that since representations of

the applicant are pending, this OA may be disposed of by directing for disposal of his representation.

7. We have also noticed from the records that applicant has submitted representations on 19.05.2020 (Annexure-11), 10.07.2020 (Annexure-12) and lastly on 05.08.2020 and admittedly same have not yet been disposed. Therefore, we are of the opinion that ends of justice will be met if the said representations are considered and disposed of within a time frame.

8. For the aforesaid reasons, without entering into the merits of the case and without issuing notice to the respondents, more particularly, the respondent no. 4 is directed to consider and dispose of the pending representations of the applicant dated 10.07.2020 and 05.08.2020 by passing a reasoned and speaking order within a period of three months from the date of

receipt of this order. Needless to mention here that reasoned and speaking order shall be communicated to the applicant forthwith. Liberty is granted to the applicant to approach this Tribunal if her grievances are not redressed by the respondent authority.

9. The OA is disposed of accordingly at the admission stage itself.

(N NEIHSIAL)
MEMBER (A)

(SMT. MANJULA DAS)
MEMBER (J)

/BB/