

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW**

Item No. 2

ORIGINAL APPLICATION NO: 332/00127/2021

This, the 05th day of October, 2021

**HON'BLE MS. JASMINE AHMED, MEMBER (J)
HON'BLE MR. A. MUKHOPADHAYA, MEMBER (A)**

Harish Gidwani, aged about 57 years son of Sh. Govind Gidwani r/o 3/9, Vishal Khand, Gomti Nagar, Lucknow – 226010.

....Applicant

By Advocate: Ms. Garima Dixit

Versus

1. Union of India, through the Secretary, Ministry of Finance, North Block, New Delhi.

2. Secretary, Department of Revenue, Ministry of Finance, Central Board of Direct Taxes, North Block, New Delhi.

3. Chairman, Central Board of Direct Taxes, North Block, New Delhi.

4. Principal Chief Commissioner of Income Tax (UP East), 5, Ashok Marg, Lucknow.

5. Director General of Income Tax (Vigilance), 2nd Floor, Jawahar Lal Nehru Stadium, New Delhi – 110003.

6. Joint Director of Income (Vigilance), 2nd Floor, Jawahar Lal Nehru Stadium, New Delhi – 110003.

....Respondents

By Advocated: Ms. Prayagmati Gupta

ORDER (ORAL)

HON'BLE MS. JASMINE AHMED, MEMBER (J)

Learned counsel for the applicant submits that the applicant has given several representations to the respondents raising his grievance with regard to promotion but till date no reply has been received by him from the respondents.

2. At this stage, learned counsel for the applicant states that the applicant would be happy and satisfied if a direction be given by this Tribunal to the respondents/competent authority to consider and dispose of the pending representation of the applicant after taking into account the judgement of the Hon'ble Apex Court in the case of **UoI Vs K.V Jankiraman (AIR 1991 SC 2010)** within a stipulated period of time, to which learned counsel for the respondents objects.

3. In view of the above submissions, we direct the applicant to prefer a fresh representation to respondents within a week from today and respondents /Competent authority are directed to consider and decide the fresh representation of the applicant by passing a reasoned and speaking order within a period of six weeks from the date of receipt of fresh representation from the applicant after taking into account the judgement cited by the applicant and also other pleas raised by the applicant in his fresh representation, under intimation to the applicant. It is made clear that we have not commented anything on the merit of the case.

4. In view of the above, the OA is disposed of. No costs.

(A. Mukhopadhyaya)
Member (A)

(Ms. Jasmine Ahmed)
(Member (J)

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