

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 02nd day of December, 2002.

Original Application No. 1412 of 2002.

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Maj. Gen. K.K. Srivastava, A.M.

Suresh Kumar Verma a/a 35 years, S/o Sri Shreekrishna Verma, Permanent resident of 3/263, Adarsh Nagar, Shuklaganj, Unnao. Presently posted as Inspector, Income Tax in the office of the Chief Commissioner of Income Tax (Cadre Controlling Authority), Kanpur, U.P. West Region, Kanpur.

.....Applicant

Counsel for the applicant :- Shyamal Narain

V E R S U S

1. Union of India through the Secretary, M/o Finance and Revenue, Govt. of India, New Delhi,
2. The Central Board of Direct Taxes, through the Chairman, North Block, New Delhi.
3. The Chief Commissioner of Income Tax, (Cadre Controlling Authority), Kanpur, U.P. West Region, Kanpur, Aaykar Bhawan, 16/69, Civil Lines, Kanpur.
4. The Chief Commissioner of Income Tax, Ahmedabad, Gujrat, post box No. 211, Navarangpura, Aaykar Bhawan, Ashram Road, Ahmedabad, Gujrat.

.....Respondents

Counsel for the respondents :- Sri G.R. Gupta

O R D E R (Oral)

(By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)

By this O.A under section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for a direction to respondents to repatriate the applicant to Ahmedabad Region, Gujrat on the basis of his lien and the request made by him vide his letter dt.18.01.1999.

In alternative it has been prayed that respondents may be directed to promote him to the post of Income Tax Officer w.e.f 27.11.2001 when his batchmates in Gujrat were promoted.

2. The facts of the case are that the applicant joined as Income Tax Inspector at Vadodra in Ahmedabad Region, Gujrat. In June 1996, he appeared in departmental examination for confirmation in which he was declared successful in January, 1997. ~~and was accordingly~~ confirmed. By order dated 12.06.1997 (annexure A- 6), the applicant was transferred on his own request from Vadodra Region, Gujrat to Kanpur Region in U.P.. On transfer applicant joined at Kanpur on 07.07.1997. He was confirmed on the post in pursuance of D.P.C held in June, 1997. ²⁰⁰⁰ The grievance of the applicant is that he made application on 18.01.1999 for his repatriation to Vadodra Region. Copy of the application has been filed as annexure- 7 which was within two years and also before the date of confirmation but no action was taken on this application. Consequently the applicant made representations on 02.05.2002, 03.06.2002, 04.07.02 and 05.08.2002. As no action has been taken, he has approached this Tribunal.

3. As the applicant has already approached the competent authority namely Chairman, Central Board of Direct Taxes who may grant ~~any~~ relief to the applicant, ~~however~~, it is not necessary for ^{us to} ~~our~~ interference ^{except} for direction to Chairman, Central Board of Direct Taxes to consider and decide the representation of the applicant within ^a specified time by a reasoned order.

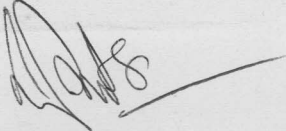
4. The O.A is accordingly disposed off finally with direction to Chairman, Central Board of Direct Taxes, New Delhi to consider and decide the representation of the applicant by a reasoned order within a period of three

Corrected
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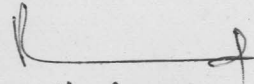
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months from the date of communication of this order. To avoid delay it shall be open to the applicant to file a copy of the representation alongwith copy of this order.

5. There shall be no order as to costs.



Member- A.



Vice-Chairman.

/Anand/