

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

ORIGINAL APPLICATION NUMBER 1089 of 2002

Allahabad, this the 25th day of September, 2002

Hon'ble Maj Gen K K Srivastava, Member (A)

Hon'ble Mrs. Meera Chhibber, Member (J)

Dinesh Chandra Mishra  
Aged about 46 years,  
Son of Late Shri Shiv Ram Mishra,  
Presently serving as an Income Tax Officer,  
5,(2), Ferozabad,  
Permanent resident of 72, Kailash  
Vihar, Byepass Road,  
Agra.

....Applicant

By Advocate Shri A.K. Dave

V E R S U S

1. Union of India, through  
Secretary, Ministry of Finance,  
North Block,  
New Delhi.
2. Secretary, Government of India,  
Ministry of Finance,  
Department of Revenue,  
Central Board of Direct Taxes,  
New Delhi.
3. Chief Commissioner of Income Tax,  
(Cadre Controlling Authority),  
Aaya Kar Bhavan,  
Civil Lines,  
Kanpur.

....Respondents

By Advocate Shri R.C. Joshi

O R D E R

Hon'ble Maj Gen K K Srivastava, Member (A)

In this O.A., filed under section 19 of A.T. Act

....Contd.2

1985, the applicant has prayed that the direction be issued to the respondents to interpolate the name of the applicant at serial number 2090, instead of serial number 2772, the place where his immediate junior's name has been shown in the All India Seniority List for the post of Income Tax Officers <sup>in 1999</sup> <sup>in</sup> <sup>in</sup> published in October, 2000. (Ann II).

2. The main grievance of the applicant is that he was senior to Km. Lili Kutti and others as Inspector of Income Tax. The learned counsel for the applicant invited our attention to copy of gradation list filed as Annexure-I of the Income Tax Inspectors wherein the name of the applicant is shown at serial number 28 and the name of Km. Lili Kutti has been shown at serial number 29. The contention of the applicant is that since he had passed the qualifying examination for promotion as Income Tax Officer in 1990 and also stands senior to Km. Lili Kutti, he should be treated as senior to Km. Lili Kutti as per the policy letter of the Central Board of Direct Taxes circular dated 09.12.1994.

3. We have perused the All India Seniority List of Income Tax Officer <sup>in 1999</sup> <sup>in</sup> wherein Km. Lili Kutti has been shown at serial number 2090 and the date of <sup>her</sup> <sup>our</sup> promotion as Income Tax Officer has been shown as 02.11.1994, while the name of the applicant has been shown at serial number 2772 and the date of promotion has been shown as 27.09.1995.

4. Aggrieved <sup>by</sup> <sup>in</sup> this, the applicant has filed a representation before Chief Commissioner of Income Tax, Meerut on 17.07.2001 followed by another representation on 11.01.2002 which as per the applicant's counsel has not been decided so far.

5. The interest of justice shall be better served if the

:: 3 ::

representation of the applicant is decided within a specified time.

6. In view of aforesaid, the O.A. is finally disposed of with direction to respondents that the representation of the applicant dated 11.01.2002 (Annexure A-IV) ~~is~~ decided by the competent authority by a reasoned and speaking order within 4 months from the date of communication of this order.

7. There shall be no order as to costs.



Member (J)



Member (A)

shukla/-