

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
BENCH ALLAHABAD**

(THIS THE 23<sup>rd</sup> DAY OF APRIL, 2010)

PRESENT:

**HON'BLE MR. A. K. GAUR, MEMBER-J  
ORIGINAL APPLICATION NO. 908 OF 2006**  
(U/s, 19 Administrative Tribunal Act.1985)

Padam Lal Gulati, Aged about 61 years,  
Son of Late Dr. S.R.Gulati, Resident of 8/4-A, Shambhu  
Barrack, New Cantt., Allahabad, Retired Income Tax Officer,  
Allahabad.

.....Applicant

By Advocate: Sri V.Budhwar  
Shri A. Tandon  
Versus

1. Union of India through Secretary Ministry of Finance,  
New Delhi.
2. Principal Chief Controller of Accounts, 9<sup>th</sup> Floor Lok  
Nayak Bhawan, Khan Market, New Delhi.
3. The Commissioner, Income Tax (Admn.) Allahabad  
Charge, Allahabad.
4. Drawing & Disbursing Officer cum Head of Office  
Range-I, Income Tax Department, Allahabad.
5. Zonal Accounts Officer, in the office of the Chief  
Controller of Accounts, Zonal Accounts Office, Central  
Board of Direct Taxes, Ministry of Finance, Department  
of Revenue, 38 M.G. Marg, Ayakar Bhawan, Allahabad.

..... Respondents

By Advocate: Sri V.K.Shukla.

**ORDER**

I have heard Shri V. Budhwar, learned counsel for the  
applicant and Shri V.K. Shukla, learned counsel for the  
respondents.

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2. Learned counsel for the applicant at the threshold stated that no departmental proceeding is pending against the applicant and no amount is due to be recovered from the applicant, still the respondents are given notice to the applicant for recovery of amount. Learned counsel for the applicant would contend that in absence of any departmental enquiry, it is wholly unjustified to withhold the gratuity and pension. Learned counsel for the applicant invited my attention to the various illegality and irregularity committed by the Department.

3. Having heard counsel for the parties, in my considered opinion, the grievance of the applicant might be redressed in case a detailed, comprehensive and item-wise representation is raised before the Competent Authority within a period of two weeks from the date of receipt of a copy of this order and if such comprehensive representation is received by the Competent Authority, <sup>the</sup> Competent Authority shall pass an appropriate, reasoned and speaking order in accordance with law within a period of three months from the date of receipt of a certified copy of this order. While deciding the representation of the applicant, O.A. may be treated as part of the representation.

4. With these directions, the O.A. is disposed of. No costs.

  
Member (J)

Manish/-