

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD**

(THIS THE 17th DAY OF December, 2009)

PRESENT:

HON'BLE MR. JUSTICE A.K. YOG, MEMBER-J

ORIGINAL APPLICATION NO. 406 OF 2007
(U/s, 19 Administrative Tribunal Act.1985)

L.N. Tiwari son of late Ram Agya Tiwari, Resident of 838 Baghambari Road, Allahpur, Allahabad.

.....Applicant

By Advocate: Shri V.P. Shukla.

Versus

1. Union of India through the Secretary, Ministry of Finance, New Delhi.
2. Commissioner of Income Tax, Allahabad Region, Allahabad.
3. Senior Accounts Officer in the office of Zonal Accounts Officer, Accounts Office, Central Board of Direct Taxes, Ministry of Finance, Department of Revenue, 38 M.G. Marg, Ayakar, Bhawan, Allahabad.
4. Central Board of direct Taxes through its Secretary, North Block New Delhi.

..... Respondents

By Advocate: Shri S. Singh

ORDER

(DELIVERED BY: JUSTICE A. K. YOG- MEMBER-JUDICIAL)

Heard learned counsel for the parties. Perused the pleadings and impugned order dated 20.03.2007.

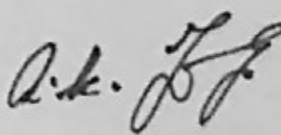
2. By means of the said impugned order has been passed in view of the direction given by the Tribunal in OA No. 128 of 2007 dated 09th February, 2007 to decide the grievance of the applicant on the basis of representation with regard to fixation of pay, pension etc.

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3. Perusal of Para 11 of the impugned order shows that the representation of the applicant before CBDT has not been decided. Learned counsel for the Applicant concedes that the said representation is still pending. In view of the above, let said representation be decided expeditiously.

4. In view of the above, I direct the applicant to file a certified copy of this order before Concerned Authority along with a copy of OA within six weeks and the said authority, subject to above, shall consider and decide said Representation (referred to Para 11 of the impugned order dated 20.03.07) by a speaking/reasoned order within a period of three months on receipt of certified copy of the order (as stipulated/contemplated above) in accordance with law exercising unfettered discretion. Decision taken shall be communicated to the applicant forthwith. I have not touched the merit issue/s raised in this OA and hence CBDT representation exercising unfettered discretion in accordance with law.

5. OA finally disposed of subject to above observations. No costs.


Member (J)

/S.V./-