

O.A. No. 158 of 2006

Order dated: 16.07.2009

CORAM:

Hon'ble Mr. Justice K. Thankappan, Member(J)

Hon'ble Mr. C.R.Mohapatra, Member (A)


Heard Shri B.B.Mohanty, Ld. Counsel for the applicant and Shri U.B.Mohapatra, Ld. Sr. Standing Counsel. By filing this O.A. the applicant has prayed for the following relief:

“(a) this Hon'ble Tribunal may graciously be pleased to direct the respondents to consider and dispose of the representation of the applicant under annexure-A/9 and review/reconsider the proceeding of the D.P.C. held in April/May'2005 for the recruitment years 2002-2003 onwards by considering the case of the applicant and other similarly placed Senior Tax Assistants and may further be pleased to give the consequential promotions to the grade of Office Superintendent within a time to be stipulated by this Hon'ble Tribunal and;

(b) this Hon'ble Tribunal may further graciously be pleased to direct the Respondents to consider the cases of eligible Senior Tax Assistants including the applicant only afresh for regular promotion to the grade of Office Superintendent in terms of the Rules/instruction issued by the Respondents in letter dtd. 21.10.2005 and 08.12.2005 forthwith or within a time to be stipulated by this Hon'ble Tribunal, against the vacancies available for recruitment years 2002-03 onwards”



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2. Respondents have not filed any counter.
 3. It is submitted by the Ld. Counsel that the grievance of the applicant can be well redressed if his pending representation dated 23.1.2006 at Annexure-A/9 is directed to be disposed of by Respondent No.3, having due regard to Annexures-A/3 and A/6. This submission of Shri Mohanty is not opposed by Shri Mohapatra.
 4. In the circumstances, we direct Resp. No. 3 to dispose of the representation Annexure-A/9 in the light of Annexures-A/3 and A/6 as expeditiously as possible at any rate within a period of 45 days of the date of receipt of this order.
 5. The O.A. is disposed of as above. No costs.


MEMBER (A)


MEMBER (J)