

ORDER DATED 06.12.06

Heard Mr.J.M.Pattnaik,Ld.Counsel for the Applicant and Mr.B.Mohapatra,Ld.ASC for the Respondents; on whom a copy of this O.A. has already been served.

2. Applicant who is presently working as Office Superintendent in the Office of the Income Tax Officer, Ward-1, Dhenkanal has approached this Tribunal for quashing the impugned orders(Annexures-A/21&22) passed by the Respondents for cancelling the promotion of the Applicant to the post of Office Superintendent. He made a representation before the Chief Commissioner of the Income Tax, Bhubaneswar(Res.No.2) vide Annexure-A/23 saying that his juniors were considered for promotion to the post of Office Superintendent whereas his case has not been considered. Ld.Counsel for the Applicant strongly pleaded for issuance of interim order against the reversion which is contested by the Ld.ASC for the Respondents saying that the applicant was officiating and since the applicant is alleging that his juniors have been promoted and have allowed to remain in the higher post, they should have been made as parties/Respondents in this case.

3. In view of the above, since the representation dated 27.11.06 vide Annexure-A/23 submitted to Res.No.2 is pending for disposal, he is directed to dispose of the same on merit, within two months from the date of receipt of this order. Regarding the plea of *12*

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the Applicant that interim order be passed against the reversion, it is open to him to take up the matter with C.C.I.T. for such order who shall decide the same on merit.

4. With the above, this O.A. is disposed of at the admission stage.

5. Copies of this order along with copies of the O.A. be sent to the Respondents and free copies of this order be handed over to the Counsel for both the parties.

13/11/70
MEMBER (ADMN.)


VICE-CHAIRMAN