

O.A. No. 557/09

ORDER DATED 30<sup>th</sup> NOVEMBER, 2009

Coram:

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

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

Heard Mr. A.K. Pandey, Ld. Counsel for the Applicant and Mr. U.B. Mohapatra, Ld. Sr. Standing Counsel for the Respondents.

2. The applicant is the son of a deceased Daftary of Income Tax Department. He has filed this Original Application for direction to the Respondents to give him an appointment under Rehabilitation Assistance Scheme. It is the case of the applicant that after the death of his father Maheswar Pradhan on 01.07.02, he made a representation dt. 09.06.03 for consideration for compassionate appointment. It is submitted that the said representation has not yet been considered and disposed of by the authorities. The applicant, it is submitted, has further represented the matter to the authorities by filing reminders, the last one being dated 23.05.09 to the Chief Commissioner of Income Tax Department (Respondent No.1). Now the applicant submits that since his father died in harness and his mother also died prior to the death of his father, he is in financial crisis.

3. We have heard the Ld. Counsel for the parties and perused the records along with other documents produced before us along with the O.A.

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4. It is seen that the applicant has already filed the required applications as per Annexures-A/4 & A/6. In the above circumstances, we are of the view that the O.A. can be disposed of at the stage of admission with notice to the Sr. Standing Counsel for the Union of India. Consequently, this O.A. is disposed of by directing the Chief Commissioner of Income Tax Department (Respondent No.1) to dispose of Annexure-A/6 representation dated 23.05.09 within a reasonable time at any rate within 60 (sixty) days of the receipt of the copy of this order.

5. It is also made clear that even though there is some delay that shall not be the reason to reject the case of the applicant and the application shall be considered along with all other documents the applicant had filed before the authorities, on merit.

6. Ld. Counsel for the applicant shall forward a copy of this order along with copy of the O.A. to Respondent No.1. Mr. Mohapatra Ld. Sr. Standing Counsel is also directed to forward the copy of the order and the copy of the O.A. for compliance. Ordered accordingly. No costs.

hanku  
MEMBER (A)

L.K. 9/10/09  
MEMBER (J)

K.B