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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00343 OF 2014
Cuttack, this the 14th day of May, 2014

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (Judl.)
HON'BLE MR. R.C. MISRA, MEMBER (Admn.)
.....

Ghanshyam Sah,
Aged about 61 years,
Son of Late Jadumani Sah (Retired Inspector of Income-tax),
O/o the Income-tax Officer (TDS), Aayakar Bhawan,
Shelter Chhak, Cuttack- 753008, Odisha.
Permanent resident at: Bangurkela,
PO- Balinga, Via- Basundhara, P.S. Hemgir,
Dist. Sundergarh, Pin – 770076, Odisha.

.....Applicant

Advocate(s)... M/s. P.C.Sethi, S. Pattnaik.

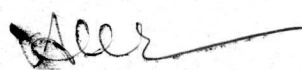
VERSUS

Union of India represented by

1. Secretary,
Ministry of Finance, North Block,
New Delhi- 110001.
2. Chief Commissioner of Income Tax,
Aayakar Bhawan, Rajaswa Vihar,
Bhubaneswar- 751007, Odisha.
3. Commissioner of Income-tax (TDS),
2nd Floor, Aayakar Bhawan-Annexe, Rajaswa Vihar,
Bhubaneswar- 751007, Odisha
4. Joint Commissioner of Income-tax (TDS),
2nd Floor, Aayakar Bhawan-Annexe, Rajaswa Vihar,
Bhubaneswar- 751007, Odisha
5. Income-tax Officer (TDS), Aayakar Bhawan,
Shelter Chhak, Cuttack- 753008, Odisha.

..... Respondents

Advocate(s)..... Mr. M.K.Das



ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. P.C.Sethi, Learned Counsel for the Applicant, and Mr. M.K.Das, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985, for grant of pension and pensionary benefits. Mr. Sethi, Ld. Counsel for the applicant, submitted that the applicant while working as Inspector of Income-tax superannuated on 31.03.2013 but inspite of papers being sent to the Chief Commissioner of Income Tax, i.e. Respondent No.2, and even after filing of representation dated 29.08.2013 vide Annexuue-A/3 till date no response has been received by the applicant. It is further submitted that the applicant has also filed a reminder dated 13.12.2013, which is also pending.


3. Mr. M.K.Das, Ld. ACGSC, has no immediate instruction as to whether any such representation, as claimed by the applicant, has really been submitted by him on 29.08.2013 and if so, the status thereof.

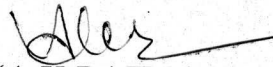
4. Be that as it may, since it is the positive case of the applicant that no decision has been communicated to him on the representation submitted on 29.08.2013, without entering into the merit of this matter, this OA is disposed of at this admission stage with direction to Respondent No. 2 to consider and dispose of the representation, if the same is still pending, and communicate the decision thereof in a reasoned and speaking order to the applicant within a period of 60(sixty) days from the date of receipt of copy of this order. If upon such consideration applicant is found to be entitled to



the dues as claimed by him in the representation then expeditious steps be taken to extend such benefits within a further period of 60 days from the date of such order. There shall be no order as to costs.

5. As agreed to by Ld. Counsel for both the sides, copy of this order along with the paper book, be transmitted to Respondent No. 2 by Speed Post at the cost of the applicant, for which Mr. Sethi, Ld. Counsel for the applicant, undertakes to furnish the postal requisites by 16.05.2014.


(R.C.MISRA)
MEMBER (Admn.)


(A.K.PATNAIK)
MEMBER(Judl.)

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