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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00361 OF 2014

Cuttack this the 20th day of May, 2014

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (J)

HON'BLE MR. R. C. MISRA, MEMBER (A)

.....

Durga Prasad Kar,
Aged about 65 years,
S/o Late Bidyadhara Kar,
At present R/O Radhika, 1540,
Jagamara (East), Bhubaneswar-751030,
Odisha

...Applicant

(Advocates: M/s. J.M.Pattnaik, C.Panigrahi)

VERSUS

Union of India represented through

1. Secretary (Revenue),
Ministry of Finance,
Department of Revenue North Block,
New Delhi-110001.
2. Director General of Income Tax (Vigilance),
Dayal Singh Public Library,
1st Floor, Deen Dayal Upadhyaya Marg,
New Delhi- 110002.
3. Director of Income Tax (Investigation),
Aayakar Bhavan annexe, P-13,
Chowranghee square,
Kolkata-700069.
4. Chief Commissioner of Income Tax,
Odisha Aayakar Bhavan, Rajaswa Vihar,
Bhubaneswar- 751007.

... Respondents

(Advocate: Mr. S. Barik)



ORDER (ORAL)

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

Heard Mr. J.M.Pattnaik, Learned Counsel for the Applicant, and Mr. S. Barik, Ld. Addl. CGSC appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying for a direction to Respondent No.2 to issue vigilance clearance if any pending and for release of the reward of Rs. 1 lakh with interest. We find from the record that the applicant has made a representation before Respondent No.2 on 08.07.2013 vide Annexure-A.3. Ld. Counsel for the applicant, Mr. Pattnaik, submitted that the said representation is still pending consideration. He submits that grievance of the applicant can be more or less redressed if a direction is given to Respondent No.2 to consider his representation dated 08.07.2013.

3. On the other hand, Mr. Barik has no immediate instruction whether any such representation has been preferred by the applicant 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 08.07.2013, 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 to the applicant, in a well-reasoned order




within a period of 60 (sixty) days from the date of receipt of copy of this order. We make it clear that if in the meantime said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order. There shall be no order as to costs.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. 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. Pattnaik, Ld. Counsel for the applicant, undertakes to furnish the postal requisites by 23.05.2014.


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


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

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