

I/6
I/S

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

ORIGINAL APPLICATION NO. 189/2007

Jodhpur, this the 25th day of September, 2007.

Adhir Jha S/o Shri Sudhir Kumar Jha aged 41 years working as Additional Commissioner of Income Tax in the office of CCIT, Rajasthan region, Jaipur, Additional charge - Additional C.I.T., Jodhpur.

.....Applicant.

Versus

1. Union of India through Secretary,
Department of Revenue, Ministry of Finance,
North Block, New Delhi.
2. The Chairman, Central Board of Direct Taxes,
Department of Revenue, Ministry of Finance,
North Block, New Delhi.

.....Respondents.



Sh. S. Bhandawat, Advocate - For Applicant.
None present - For Respondents.

BEFORE :

Hon'ble Mr. Justice A.K. Yog **Judi. Member**
Hon'ble Mr. ~~Tarsem Lal~~ **Adminis. Member**

ORDER

(PER A. K. YOG, JUDICIAL MEMBER)

**: Corrected the note on noting the mistake while hearing today - listed on OA. 16.25/08. being inadvertent and typographical error.*
26/09/08
Sh. S. Bhandawat
21/9/08

Notice issued to serve upon the respondent Nos. 1 and 2 vide Tribunal's order dated August 24, 2007 and as per the report dated 21.9.2007 submitted by the Registry, notice has already been served on respondents No. 1 and 2. No one appears to have put in appearance on behalf of the respondents. Reply on behalf of respondents also not on record.

2. Heard Shri S. Bhandawat, Advocate, learned counsel appearing on behalf of the applicant.

3. The applicant has approached this Tribunal praying for his posting in Delhi region under the transfer policy laid down by the respondents for IRS Officers and other usual reliefs. The learned counsel for the applicant is aggrieved by his posting out of Delhi on the ground that he is entitled to be retained at Delhi particularly in view of the policy of the department to post husband and wife at one place.

4. The applicant has filed copies of the transfer policy as well as representation before the concerned departmental authority for redressal of his grievance. Copies of such representations have been annexed with the O.A. and the last two of them appears to be dated June 1, 2007 and June 27, 2007 which are marked as Annex. A/10 to the O.A. Since the fate of his representations has not been communicated, the applicant approached the Tribunal.



5. In the nature of the controversy sought to be resolved by this Tribunal and the fact that the request of the applicant will require consideration of various facts in the light of relevant existing policy including the humanitarian aspect that husband and wife may be normally adjusted at one station, the expedience demand that the representations filed by the applicant is (said to be pending before the respondent authority) be considered expeditiously as otherwise the very purpose of making request may use efficacious.

By

5. In view of the above, without entering into the merit of the contentions of the applicant at this stage, we require the applicant to file a certified copy of this order along with complete copy of the O.A. with all annexures and if so like - additional representation, before the Chairman, Central Board of Direct Taxes, North Block, New Delhi, within four weeks from today. We request the competent authority to decide the representation of the applicant (which may now be filed by him) within three weeks' of receipt of a certified copy of this order and communicate the decision to the applicant forthwith.




6. With the above direction, this O.A. is disposed of finally with no order as to costs.

R.R. Bhandari
(R.R. Bhandari)
Administrative Member

A.K. Yog
(A.K. Yog)
Judicial Member

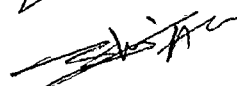
jrm

Part II and III destroyed
in my presence on 04-6-14
under the supervision of
section officer as per
order dated 26-7-14


Section officer (Record)

Received
copy

for Sundeep Bhandari
28/9/07



No. 249 to 250.

Dt: 15.10.07