

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.440/04

Tuesday this the 15th day of June 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

Muraleedharan P.A.,  
S/o.Ayyappan,  
Income Tax Officer (T),  
O/o. the Commissioner of Income Tax,  
Aayakar Bhavan, Mananchira, Kozhikode.

Applicant

(By Advocate Mr.M.R.Rajendran Nair)

Versus

1. Union of India represented by  
its Secretary, Ministry of Finance,  
Department of Revenue, New Delhi.
2. Chairman,  
Central Board of Direct Taxes,  
North Block, New Delhi - 110 001.
3. Chief Commissioner of Income Tax,  
Central Revenue Building,  
I.S.Press Road, Cochin-682 018.

Respondents

(By Advocate Mr.C.Rajendran,SCGSC)

This application having been heard on 15th June 2004 the  
Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN

The applicant an Income Tax Officer is aggrieved that while he has not been served with any adverse ACR, he was not promoted as Assistant Commissioner of Income Tax while many of his juniors had been promoted. Aggrieved by his non promotion the applicant made Annexure A-3 representation to the 2nd respondent on 8.12.2003. Finding no response the applicant has filed this application for the following reliefs :

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- i. to direct the respondents to consider the applicant for promotion with effect from the date of promotion of his juniors with all consequential benefits.
- ii. grant such other reliefs as may be prayed for and the Court may deem fit to grant, and
- iii. grant the cost of this Original Application.

2. When the application came up for hearing Shri.C.Rajendran, SCGSC took notice on behalf of the respondents. Counsel on either side agree that the application may be disposed of directing the 2nd respondent to consider the Annexure A-3 representation of the applicant and to give him an appropriate reply within a reasonable time.

3. In the light of the submissions made by the counsel on either side the application is disposed of directing the 2nd respondent to consider Annexure A-3 representation of the applicant and to give him an appropriate reply within a period of two months from the date of receipt of a copy of this order.

(Dated the 15th day of June 2004)

H.P.DAS  
ADMINISTRATIVE MEMBER

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A.V.HARIDASAN  
VICE CHAIRMAN