

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**OA NO.11/2007**

**Friday this the 5<sup>th</sup> day of January, 2007**

**Coram:**

**Hon'ble Mrs.Sathi Nair, Vice Chairman  
Hon'ble Mr.George Paracken, Judicial Member**

**Lekha Sathyaseelan,  
Lower Division Clerk,  
Income Tax Appellate Tribunal,  
Cochin Bench, Block C-1 & 11,  
Fourth Floor,  
Kendriya Bhavan,  
Kakkanad, Ernakulam.** ... Applicant

**(By Advocate Mr.U.Balagangadharan)**

**V/s.**

- 1. Union of India  
Represented by the Secretary to Govt,  
Law and Justice, New Delhi.**
- 2. The Assistant Registrar,  
Income Tax Appellate Tribunal,  
Cochin Bench, Block C-1 & 11,  
Fourth Floor, Kendriya Bhavan,  
Kakkanad Ernakulam.**
- 3. The Registrar,  
Income Tax Appellate Tribunal,  
III and IV floor, Old CGO Building,  
Maharshi Karve Marg, Mumbai-20.**
- 4. Mrs.Hema Rajan,  
U.D.C.,Lower Division Clerk,  
Income Tax Appellate Tribunal,  
Cochin Bench, Block C-1 & 11,  
Fourth Floor, Kendriya Bhavan,  
Kakkanad, Ernakulam.**
- 5. The President,  
Income Tax Appellate Tribunal,  
New Delhi. ... Respondents.**

**By Advocate Mr.Rajeev for Mr.TPM Ibrahim Khan SCGSC**

**This OA having been heard on 5<sup>th</sup> January,2007,  
the Tribunal on the same day delivered the following:-**

**(ORDER)**

**Hon'ble Mrs.Sathi Nair, Vice Chairman**

The applicant herein is working in the Income Tax Appellate Tribunal, Cochin and she was promoted by Annexure A-1 order dated 3.8.2005 as UDC and posted at Panaji. The applicant had to forgo the promotion as per Annexure A-2 due to family circumstances and vide Annexure A-4 dated 16/9/2005 she has been debarred from promotion for a period of one year.

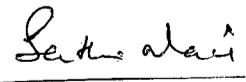
2. The applicant's grievance is that by Annexure A-7 order a UDC from ITAT, New Delhi had been shown against the strength in Cochin Branch from 17/7/2006 to 9/10/2006 and subsequent to 9/10/2006 that position is vacant against which, she had made a representation for adjusting her vide Annexure A-8 dated 22/11/2006, which has not been considered so far.

3. In the light of the above position, the applicant's counsel agrees that he would be satisfied if the representation is directed to be disposed of keeping in view all the points raised in the OA as well as in the representation.

4. Accordingly, we direct the 5<sup>th</sup> respondent to consider the representation of the applicant in the light of the pleadings in the OA and also the representation dated 22/11/2006 sent to the 4<sup>th</sup> respondent, and pass a speaking order within a period of one month from the date of receipt of a copy of this order.

5. O.A. is disposed of. No costs.

  
GEORGE PARACKEN  
JUDICIAL MEMBER  
abp

  
SATHI NAIR  
VICE CHAIRMAN