

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW.

ORIGINAL APPLICATION NO: 471 /2007

Lucknow this, the 26th day of MAY 2008.

HON'BLE MR. M. KANTHAIAH, MEMBER (J)
HON'BLE MR. SHAILENDRA PANDEY, MEMBER (A)

Rajendra Prashad,
Aged about 44 years, Son of
Late Ram Saran, Resident of F-28,
Income Tax Colony, Wazeer Hasan
Road, Lucknow.

Applicant.

By Advocate: Shri Alok Trivedi

Versus

1. Union of India
Through the Secretary,
Ministry of Finance, Department
Of Revenue, North Block,
New Delhi.
2. The Charmin,
Central Board of Direct Taxes,
Ministry of Finance, Department of
Revenue, North Block,
New Delhi.
3. The Director of Income Tax (SYSTEMS),
New Delhi.
4. The Chief Commissioner of Income Tax,
Lucknow.

Respondents.

By Advocate: Shri Rajendra Singh.


Order (Oral)

By Hon'ble Mr. M. Kanthaiah, Member (J):

Heard both sides.

2. The applicant has filed original application to issue directions to the respondents to grant the applicant the pay scale of Rs. 1350-2200 from the date of joining the post of Data Entry Operator i.e 10th March, 1992 and also arrears of salary and other consequential benefits.


3. The matter is coming for counter affidavit at admission stage. In spite of giving time, the respondents have not filed counter affidavit. At this stage, the applicant counsel also moved miscellaneous application No. 180/2008 for

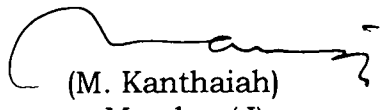


grant of interim relief with a directions for disposal of his pending representation Annexure A-17 dated 29.11.2005. The respondents have not filed objection and said M.P. ^{is} also ~~for~~ coming for hearing.

4. At this stage, the learned counsel for applicant submits that if the pending representation is disposed of with a reasoned order by the competent authority, the purpose of ^{the} O.A. would be served.

5. In view of the above circumstances, without disposal of pending representation of the applicants, passing of any order or issuing directions to the respondent authorities allowing the claim of the applicant is not at all justified at this stage. In the interest of justice, O.A. is disposed of with a direction to the respondents /competent authority to dispose of the pending representation of the applicant covered under Annexure A-17 dated 29.11.2005 and pass a reasoned order as per rules within a period of 3 months from the date of receipt of copy of this order. If the applicant is aggrieved by such orders, he is at liberty to file fresh O.A. No costs.


(Shailendra Pandey)
Member (A)


(M. Kanthaiah)
Member (J)

26.05.2008