

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 789 of 2003

Jabalpur, this the 19th day of November, 2003

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri G. Shanthappa, Judicial Member

A.K. Saxena, Aged about
55 years, S/o. Late Sri
B.L. Saxena, Inspector of Income
Tax, O/o. Assistant Commissioner
of Income Tax, Bhopal.

... Applicant

(By Advocate - Shri S.K. Nagpal)

V e r s u s

1. Union of India,
Through : The Secretary,
Government of India,
Ministry of Finance, Department
of Revenue, North Block,
New Delhi.
2. The Chief Commissioner of
Income Tax (CCA) Aayakar
Bhawan Hoshangabad Road,
Bhopal.
3. Commissioner of Income Tax,
Aaykar Bhawan, Hoshangabad
Road, Bhopal.

... Respondents

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

The applicant by filing this Original Application has sought relief by seeking direction to the respondents to correct the date of confirmation of the applicant in the cadre of UDC to 01.10.1974 as per DPC held on 29.01.1975 and place the applicant below Shri K.P. Zargar and above Shri S.C. Bundel in Annexure A-5 and grant him all consequential benefits.

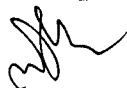
2. The facts of the case, as per the applicant, are that he/ ^{was} working as LDC and passed the departmental examination in



July, 1973. The DPC for confirmation to the post of UDC was held on 29.01.1975. The applicant was found fit and was recommended for confirmation by the DPC. However in respect of the applicant and some other persons, confirmation was not issued for want of police verification report. In pursuance to the recommendations of the DPC held on 29.01.1975 one Shri K.P. Zargar-a colleague of the applicant- was confirmed with effect from 23rd July, 1974. In a subsequent DPC held in 1981 the applicant was confirmed in the grade of UDC with effect from 08.11.1981. The grievance of the applicant is that he had passed the departmental examination for confirmation to the post of UDC in 1973 and his colleagues who passed the departmental examination in the same batch were confirmed by the DPC held in 1975, wherein the applicant was not confirmed from the date his junior one Shri A.K. Arora was confirmed with effect from 01.10.1974. Hence aggrieved by this he has filed this Original Application claiming the aforesaid relief.


3. We find from the application that the applicant has submitted a number of representations to the respondents. The last such representation was submitted by him on 12th May, 2003 (Annexure A-14). The respondents have not yet taken any decision on the representation of the applicant.

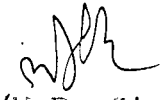
4. In the circumstances we deem it appropriate to dispose of this Original Application at the admission stage itself without issuing notices to the respondents by directing the respondent No. 2 Chief Commissioner of Income Tax, Bhopal to consider and decide the representation of the applicant by passing a detailed, reasoned and speaking order within a period of three months from the date of receipt of copy of

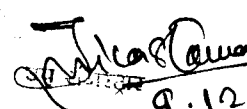


this order. A copy of the Original Application be also sent to the respondent No. 2 i.e. the Chief Commissioner of Income Tax, Bhopal who will treat the same as a part of the representation of the applicant.

5. Accordingly the Original Application is disposed of.


(G. Shanthappa)
Judicial Member


(M.P. Singh)
Vice Chairman

पुस्तिका सं. ०१/८५५ जयपुर, दि.
"SA"
Res. No. 2
Shri S. K. Nagpal Adu. JBP.
Chief Commissioner of
Income Tax Bhopal
with copy of petition

9.12.03

Filed
27
15.12.03