

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORDER SHEET

ORDERS OF THE TRIBUNAL

29.09.2011

OA No. 445/2011

Mr. Rakesh Sharma, Counsel for applicant.

Heard. The OA is disposed of by a separate order.

Anil Kumar
(Anil Kumar)

Member (A)

K.S. Rathore
(Justice K.S.Rathore)
Member (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 29th day of September, 2011

ORIGINAL APPLICATION No. 445/2011

CORAM :

HON'BLE MR.JUSTICE K.S.RATHORE, JUDICIAL MEMBER
HON'BLE MR.ANIL KUMAR, ADMINISITRATIVE MEMBER

Hari Shankar Khatik son of Shri Bhagwati, aged about 41 years, resident of 2/13, Nagar Nigam Colony, Amer Road, Jaipur. Presently working as Stenographer Grade II in the office of the Regional Director, National Saving Institute (GOI) Vitta Bhawan,, C-Block, 4th Floor, Jyoti Nagar, Jaipur.

... Applicant
(By Advocate : Mr. Rakesh Sharma)

Versus

1. Union of India through Secretary to the Government of India, Ministry of Finance, Department of Economic Affairs, Government of India, North Block, New Delhi.
2. The Secretary, Ministry of Finance, Department of Revenue, Central Board of Direct Taxes, New Delhi.
3. The Director, National Saving Institute 4th Floor, CGO Complex, Seminary Hills, Nagpur.
4. The Regional Director, National Saving Insitute, Vitta Bhawan, C-Block, 4th Floor, Jyoti Nagar, Jaipur.
5. The Chief Commissioner of Income Tax (CCA), Central Revenue Building, Bhagwan Das Road, Jaipur.
6. The Commissioner of Income Tax (Computer Operation), Central Revenue Building, Statue Circle, Jaipur.

... Respondents
(By Advocate: -----)

ORDER (ORAL)

This OA is filed against the order dated 14.09.2011 (Annexure A/1) by which the representation filed on behalf of the applicant on 07.03.2011 has been rejected and order dated 08.08.2011 (Annexure A/2) whereby his request to relieve him from the post of Stenographer on transfer on permanent absorption in Income tax Department had not been accepted by the competent authority.



2. Learned counsel for the applicant submitted in earlier OA No. 406/2011, this Tribunal vide its order dated 01.09.2011 directed the respondents to consider the appeal of the applicant dated 12.08.2011 (Annexure A/13) and representation dated 17.08.2011 (Annexure A/14) in accordance with the provisions of law and shall pass a speaking order expeditiously but not beyond the period of 15 days from the date of receipt of a copy of this order. It was further directed that till the disposal of appeal and representation of the applicant, the selection of the applicant on the post of Stenographer Grade II may not be cancelled. Liberty was also given to the applicant to file substantive OA, if any prejudicial order is passed against him.

3. Upon bare perusal of order dated 14.09.2011, it appears that as directed by this Tribunal vide its order dated 01.09.2011, the appeal of the applicant dated 12.08.2011 (Annexure A/13) and representation dated 17.08.2011 (Annexure A/14) are still pending for consideration.

4. Be that as it may, since appeal and representation of the applicant in view of the direction given by this Tribunal vide its order dated 01.09.2011 are still pending, we deem it proper to direct the respondents to consider the same in the light order dated 01.09.2011. Till disposal of the appeal 12.08.2011 (Annexure A/13) and representation dated 17.08.2011 (Annexure A/14), the selection of the applicant on the post of Stenographer Grade II may not be cancelled.

5. With these observations, the OA is disposed of with no order as to costs.

Anil Kumar
(Anil Kumar)
Member (A)

K.S. Rathore
(Justice K.S.Rathore)
Member (J)

AHQ