

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD**

This is the 14<sup>TH</sup> day of **AUGUST, 2018**.

**ORIGINAL APPLICATION NO. 330/1411/2017**

**HON'BLE MR RAKESH SAGAR JAIN, MEMBER (J).**  
**HON'BLE MR MOHD JAMSHED, MEMBER (A).**

1. Dr. Gyanendra Kumar Tripathi, aged about 36 years, S/o Late Balakant Tripathi, posted at Assistant Commissioner (Authorized Representative) Customs, Excise & Service Tax Appellate Tribunal (CESTAT) at Allahabad O/O Commissioner (AR), Custom, Excise & Service Tax Appellate Tribunal (CESTAT), 38, M.G. Marg, Allahabad. ....Applicant.

**VERSUS**

1. Union of India through Revenue Secretary, Ministry of Finance at New Delhi.
2. Central Board of Excise and Customs through its Chairman, Department of Revenue, Ministry of Finance, Govt of India, North Block, New Delhi.
3. Departmental Promotion Committee (DPC) O/O Central Board of Excise & Customs, Department of Revenue, Ministry of Finance, Govt of India, New Delhi.

.....Respondents

Advocates for the Applicant : Shri A K Singh  
Ms Vanashri Dubey

Advocate for the Respondents : Shri L P Tiwari

**O R D E R**

**(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)**

Heard Shri P K S Paliwal, learned counsel for the applicant and Shri L P Tiwari, learned counsel for the respondents.

2. Learned counsel for the applicant submitted that the DPC was held in the year 2015 and the applicant's name has been placed in a sealed cover. The applicant filed a representation dated 19.01.2017 (Annexure No. A-7 to the OA) to the respondent no. 2 requesting to provisionally promote him.
3. Learned counsel for the applicant submitted that the grievance of the applicant would be redressed in case a direction is issued to the respondents to decide the pending representation dated 19.01.2017 in

terms of paragraph 4, 5 and 5.1 of the Government of India circular dated 14.09.1992 (Annexure No. A-5 to the OA) in a time bound manner.

4. In view of the limited prayer made by the counsel for the applicant, the OA is disposed of with the direction to the respondent no. 2/competent authority to decide the representation dated 19.01.2017 preferred by the applicant by passing a reasoned and speaking order in terms of paragraph no. 4, 5 and 5.1 of the Government of India circular dated 14.09.1992 (Annexure No. A-5 to the OA) within a period of two months from the date of receipt of certified copy of this order. The decision so taken be communicated to the applicant in writing.

5. It is made clear that we have not entered into the merits of the case. No order as to cost.

**(MOHD JAMSHED)**  
**MEMBER-A**

**(RAKESH SAGAR JAIN)**  
**MEMBER-J**

Arun..