

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**O.A. No.219/2017**

New Delhi, this the 18<sup>th</sup> day of January, 2017.

**HON'BLE MR. JUSTICE PERMOD KOHLI, CHAIRMAN  
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)**

Yogendra Mittal, Age-37 years  
Group-A, Deputy Commissioner of Income Tax  
S/o Sh. Mahesh Chand Mittal,  
R/o 303, Ratnagiri Apartments,  
Kaushambi, Ghaziabad  
Uttar Pradesh-201010. ...Applicant.

(By Advocate: Mr. Sachin Chauhan)

Versus

1. Union of India  
Through the Secretary,  
Ministry of Finance,  
Department of Revenue,  
North Block, New Delhi-110 001.
2. The Chairman, Central Board of Direct Taxes,  
Ministry of Finance,  
Department of Revenue,  
North Block, New Delhi.
3. The Member (P&V),  
Central Board of Direct Tax,  
North Block, New Delhi.
4. The Principal  
Chief Commissioner of Income Tax,  
Aayakar Bhawan, Sector-17E,  
North Western Region,  
Chandigarh. ...Respondents

(By Advocate:Shri Hanu Bhaskar)

(2)

## **ORDER (ORAL)**

**By Mr. Justice Permod Kohli**

Heard.

2. Issue notice to the respondents. Shri Hanu Bhaskar, learned counsel appears and accepts notice on behalf of respondents.

3. The applicant is aggrieved by the impugned order dated 09.12.2016 whereby adhoc appointments made to the post of Joint Commissioner of Income Tax upto 31<sup>st</sup> December, 2016, excluding the applicant, have been extended, whereas his batch-mates have been granted such extension. Earlier the applicant along with batch-mates was granted adhoc promotion to the post of Joint Commissioner Income Tax vide order dated 13.08.2015. Aggrieved of his non-extension of adhoc promotion, the applicant has filed present OA. Admittedly, the applicant has been served with a charge-memo on 27.06.2016 initiating major disciplinary proceedings under Rule 14 of the CCS (CCA) Rules, 1965 and the aforesaid extension has been ordered subsequent to the issue of charge-sheet to the applicant. Under these circumstances, this OA has been filed.

4. Learned counsel for the applicant submits that the applicant has made a representation on 13.01.2017 which is pending

(3)

before the respondents. He seeks a direction for disposal of the representation.

5. In view of the above circumstances, without going into the merits of controversy, we dispose of the OA at the admission stage itself with the direction to the respondents to take decision on the representation of the applicant in accordance with law by passing a reasoned and speaking order within a period of six weeks from the date of receipt of copy of this order. No costs.

**(NITA CHOWDHURY)**  
**MEMBER (A)**

**( PERMOD KOHLI)**  
**CHAIRMAN**

/kdr/