

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA No.2965/2016

New Delhi this the 28th day of February, 2017

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Shri P.K. Basu, Member (A)

P.K. Agrawal, S/o Sh. P.C. Agrawal, Age 52 years
Income Tax Officer Ward No. 30(3) (3), Mumbai,
R/o A-202, New I.T.O. Colony, Goregaon (E)
Mumbai
(By Advocate: Shri Ramesh Rawat for Mr. Sudarshan Ranjan)

-Applicant

Versus

1. Union of India,
Through the Director General (HRD)
Central Board of Direct Taxes
Ministry of Finance, North Block, New Delhi-110 11.
2. The Secretary
Department of Personnel and Training
Ministry of Personnel, Pension and Public Grievances
North Block, New Delhi 110 011.

(By Advocate: Shri Gyanendra Singh)

ORDER (ORAL)

By Mr. V. Ajay Kumar, Member (J)

Hear both sides.

2. The applicant filed the present O.A. seeking the following relief:-

- a) The first respondent be directed to forward the representation dated 25.11.2014 of the applicant over the issue raised therein relating to seniority with his comments and that of the Chief Commissioner of Income Tax Mumbai to the Second Respondent for their considered view, keeping in abeyance Annexure A-3.
 - b) A time limit be calendared for the above purpose so that in obedience of the direction of this Hon'ble Tribunal, the first Respondent ensures forwarding of the representation to the second respondent.

- c) Direction be also issued to the Second Respondent to consider the issue raised in the Annexure A-1 representation of the applicant keeping in view/ taking into account their own Instructions and Guidelines on seniority, especially with particular reference to para 3.5.thereof.
- d) A specific time be scheduled in respect of consideration by the second Respondent as above so that the view of the Second Respondents be communicated to the first Respondent and acted upon by the latter.
- e) The Tribunal may be graciously pleased to pass such other suitable order or orders as the Tribunal may deem fit to meet the ends of justice.

3. It is submitted that the applicant made Annexure A-1 representation dated 25.11.2014(AnnexureA-1) to the respondents ventilating his grievances. However, the respondents have not passed any orders thereon till date. Learned counsel for the applicant further submits that applicant would be satisfied in case time bound directions are given to the respondents to consider his representation dated 25.11.2014 (Annexure A-1). Though, sufficient time has been given to the respondents to file counter reply but no counter reply has been filed by the respondents till date. Thus, in view of the aforesaid limited prayer of the applicant the OA deserved to be disposed of.

4. In the circumstances, the O.A. is disposed of without going into the other merits of the case, by directing the respondents to consider the representation dated 25.11.2014 (Annexure A1) of the applicant and to pass appropriate speaking and reasoned orders thereon, in accordance with law, within 60 days from the date of receipt of a copy of this order. No order as to costs.

**(P.K. BASU)
MEMBER (A)**

/mk/

**(V. AJAY KUMAR)
MEMBER (J)**