

**Central Administrative Tribunal
Principal Bench**

OA No.3109/2016

New Delhi, this the 16th day of September, 2016

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K N Shrivastava, Member (A)**

Shri Yogendra Mittal,
Age-37 years (Addl. CP Income Tax)
S/o Shri Mahesh Chand Mittal
R/o 302, Ratnagiri Apartments
Kaushambi, Ghaziabad,
Uttar Pradesh – 201010.

...Applicant

(By Advocate : Shri Sachin Chauhan)

Versus

1. Union of India through the Secretary
Ministry of Finance
Department of Revenue
North Block, New Delhi-110001.
2. The Chairman
Central Board of Director Taxes
Ministry of Finance
Department of Revenue
North Block, New Delhi.
3. The Member (P&V)
Central Board of Director Taxes
North Block, Delhi.
4. The Under Secretary, Govt. of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes
North Block, New Delhi-110001.

...Respondents

ORDER (ORAL)

Mr. Justice Permod Kohli, Chairman :-

Heard.

2. Issue notice to the respondents. Shri Gyanendra Singh, learned standing counsel appears and accepts notice on behalf of respondents.

3. The applicant is presently working as Joint Commissioner of Income tax. Vide Order dated 16.05.2016, he has been transferred from Delhi to North West Region. In the Column of remarks, it is mentioned "To be posted in non field post". The applicant is aggrieved by the remarks incorporated in the transfer order. It is stated that the remarks are stigmatic in nature. The applicant has also relied upon earlier action of the respondents whereby he was placed in the agreed list. The applicant, however, challenged his inclusion in the agreed list in OA No. 4472/2015. The said OA was allowed vide order dated 31.05.2016 with a direction to the respondents to remove the name of the applicant from the agreed list as his name was retained in the said list beyond the prescribed period. The applicant has made a representation dated 16.05.2016 (Annexure A-2) against the aforementioned remarks. The said representation has not been considered till date.

4. In view of the above circumstances, we dispose of this OA, at the admission stage itself, with a direction to the respondents to take decision on the representation of the applicant, referred to above, by a reasoned and speaking order within a period of

two months from the date of receipt of a certified copy of this order. No costs.

(K N Srivastava)
Member(A)

(Justice Permod Kohli)
Chairman

/vb/

