

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

O.A. No. 3522/2018

The 17th day of September, 2018

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. ARADHANA JOHRI, MEMBER (A)

Shri Manoj Kumar Tiwari
Group 'A',
Aged about 49 years
S/o Shri Prem Narain Tiwari,
R/o L-402, Ratnagiri Apartment,
Kaushambi, Ghaziabad (UP)
(Working as Assistant Commissioner
of Income Tax).

.. Applicant

(By Advocate: Shri S.K. Gupta)

Versus

Union of India through

1. Secretary,
Department of Revenue,
Ministry of Finance,
North Block,
New Delhi.
2. Chairman,
Central Board of Direct Taxes,
Department of Revenue,
Ministry of Finance,
North Block,
New Delhi.
3. Secretary,
Union Public Service Commission,
Dholpur House,
Shahjahan Road,
New Delhi.

.. Respondents

(By Advocate : Shri Gyanendra Singh)

ORDER (ORAL)**By Mr. V. Ajay Kumar, Member (J)**

Heard Shri S.K. Gupta, the learned counsel for the applicant and Shri Gyanendra Singh, learned counsel appeared on behalf of the respondents on receipt of advance notice.

2. The applicant, an Assistant Commissioner of Income Tax, filed the O.A. seeking the following relief(s):

- “(i) Direct the respondents to convene review DPC of the cadre of ACIT and DCIT by which, juniors as referred to above were considered and promoted and consider the case of the applicant on merits and the applicant be promoted on the post of ACIT retrospectively and subsequently DCIT w.e.f. the date when the juniors were promoted with all benefits like salary seniority etc;
- (ii) May also pass any further order(s), direction(s) as be deemed just and proper to meet the ends of justice”.

3. It is submitted that the applicant made number of representations including Annexure A-6 dated 05.04.2018 ventilating his grievances to the respondents. However, no orders have been passed thereon till date.

4. In the circumstances, the O.A. is disposed of at the admission stage itself, without going into the merits of the case, by directing the respondents to consider Annexure A-6 representation dated 05.04.2018 of the applicant and to pass appropriate reasoned and speaking orders thereon, in accordance with law, within 60 days

from the date of receipt of a certified copy of this order. If the respondents have already considered the claim of the applicant and passed any orders, the said order may be communicated to the applicant and, in such an event, the applicant would be at liberty to question the said order, in accordance with law. No order as to costs.

Let a copy of the O.A. be enclosed to this order.

(ARADHANA JOHRI)
Member (A)

(V. AJAY KUMAR)
Member (J)

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