

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00259/2018

Dated Thursday the 22nd day of February Two Thousand Eighteen

PRESENT

HON'BLE MR. R. RAMANUJAM, Member (A)

V.K.Sundaravarathan,
S/o. T.B.V.Krishnamachari,
N. 103/311, Central Revenue Quarters,
13th Main Road, Anna Nagar,
Chennai.Applicant

By Advocate M/s. Ratio Legis

Vs

1. The Union of India rep by,
The Principal Chief Commissioner of Income Tax (CCA),
Tamilnadu,
No. 121, Mahatma Gandhi Road, Chennai 34.
2. The Commissioner of Income Tax (Adm) & (TPS),
No. 121, Mahatma Gandhi Road, Chennai 34.
3. The Deputy Controller of Accounts (CBDT),
Ground floor,
Warapathy Block,
No. 121, Mahatma Gandhi Road, Chennai 34.
4. The Senior Accounts Officer (Pension),
ZAO, CBDT Chennai,
Ground floor,
Warapathy Block,
No. 121, Mahatma Gandhi Road, Chennai 34.
5. The Administrative Officer,
Commissioner of Income Tax (Admn) & (TPS),
No. 121, Mahatma Gandhi Road, Chennai 34.Respondents

By Advocate Mr. M. T. Arunan

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To call for the proceeding of the 2nd respondent contained in the pay slip for the month of January 2018 reducing his pay to Rs. 73400/- and quash the same and direct the respondents to continue the applicant in the basic pay of Rs. 77900/- till his retirement and consequently direct the respondents to fix his pension and terminal benefits with reference to the correct pay of Rs. 77900/- and pass such other order or orders as may be deemed fit and thus render justice.”

2. It is submitted that the applicant who is an Income Tax Officer is aggrieved by the proposed recovery of Rs. 2,96,681/- for the period from 30.11.2006 to 31.05.2017. He made representations thereagainst on 16.01.2018 and 30.01.2018. It is alleged that without considering his representations, his basic pay had been reduced from Rs. 77900/- to Rs. 73400/-. Learned counsel for the applicant submits that the applicant would be satisfied if the respondents are directed to dispose of his representations within a time limit to be stipulated by this Tribunal and hold back the recovery till then.

3. Mr. M. T. Arunan takes notice for the respondents and submits that if time is granted a detailed reply would be filed.

4. Be that as it may, keeping in view the limited relief sought by the learned counsel for the applicant and without going into the substantive merits of the case, I deem it appropriate to direct the respondents to consider Annexure A4 and A5 representations of the applicant dt. 16.01.2018 and 30.01.2018 in accordance with law and

pass a reasoned and speaking order within a period of one month from the date of receipt of a copy of this order. If no recovery has commenced so far from the applicant's salary, the respondents shall hold it in abeyance till such disposal of his representations.

5. OA is disposed of with the above direction at the admission stage.

(R. Ramanujam)
Member(A)
22.02.2018

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