

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the 04<sup>nd</sup> day of April, 2019

Present:

**Hon'ble Ms. Ajanta Dayalan, Member (A)**  
**Hon'ble Rakesh Sagar Jain, Member (J)**

**Delay Condonation Application No. 330/758/2019**

**In**  
**Original Application No. 330/323 of 2019**  
(U/S 19, Administrative Tribunals Act, 1985)

Rajendra Kumar  
S/o Late Mathura Prasad,  
R/o 1/264, Nawab Ganj, Kanpur,  
Presently working as S.S.A. Employees Provident Fund  
Organization, Sarvodaya Nagar, District Kanpur Nagar.

.....Applicant.

By Advocates – Shri D. K. Pandey

**V E R S U S**

1. Central Provident Fund Commissioner, New Delhi.
2. Additional Central Provident Fund Commissioner (U.P. Region), C.P.F.O., Sarvodaya Nagar, Kanpur.
3. Regional Provident Fund Commissioner, U.P. Nidhi Bhawan, Sarvodaya Nagar, Kanpur.

..... Respondents.

By Advocate : Shri Satyajeet Mukharjee

## O R D E R

### Delivered by Hon'ble Ms. Ajanta Dayalan, Member (A) :

Shri D. K. Pandey, learned counsel for the applicant and Shri Satyajeet Mukharjee, learned counsel for the respondents are present.

2. Counsel for the applicant states that the applicant has been denied promotion due to pending criminal proceedings against him from which was exonerated in November 2016. He made a representation dated 06/12/2016 (Annexure A-6) to the department for considering his promotion in view of his exoneration in criminal proceedings. The, counsel for the applicant further states that the applicant made another representation dated 18.08.2017 (Annexure A-8) in the same matter.

3. Counsel for the applicant states that he will be satisfied if the respondents' department is directed to take a view on his pending representation in a time bound manner.

4. In view of limited prayer made by counsel for the applicant, competent authority amongst the respondents'

department i.e. respondent No. 3 is directed to take a view on the pending representation dated 06.12.2016 (Annexure A-6) by passing a reasoned and speaking order, within a period of three months from the date of receipt of certified copy of this order. The order so passed shall be communicated to the applicant.

5. The disposal of the O.A. in the above manner is not to be construed as any expression or opinion on the merits of the case.

6. Accordingly, O.A. as well as Delay Condonation Application are disposed of. No order as to costs.

**(RAKESH SAGAR JAIN)**  
**MEMBER-J**

**(AJANTA DAYALAN)**  
**MEMBER -A**

/Shashi/