

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

MA/310/00506/2018 in & OA/310/01196/2018

Dated Friday the 7th day of September Two Thousand Eighteen

PRESENT

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

&

HON'BLE MR. P. MADHAVAN, Member (J)

1.A.Raja,
2.N.Prabhakaran,
3.M.Rajaguru,
4.B.Sunil,
5.S.Malik Kathar.

....Applicants

By Advocate M/s. C. S. Monica

Vs

1.The Union of India,
Ministry of Finance,
rep by its Secretary,
South Block, New Delhi 110011.

2.The Principal Chief Commissioner of Income Tax (CCA),
No. 121, MG Road,
Nungambakkam, Chennai 34.

....Respondents

By Advocate Mr. M. T. Arunan

ORAL ORDER

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

Heard. MA filed by the applicants for joining together and filing a single OA is allowed.

2. The applicants have filed this OA seeking the following reliefs :

"i. To declare that the action of the second respondent in not considering the applicants herein for promotion to the post of Tax Assistant in terms of the instructions dated 13.04.2005 issued by the Central Board of Direct Taxes (Annexure A6), the instructions dt. 23.05.2016 issued by the Directorate of Income Tax (Annexure A5) read with the existing RRs issued with regard to the promotion to the post of Tax Assistant vide notification dt. 18.12.2015 (Annexure A9) as illegal, unjustified, arbitrary and violative of Article 14, 16 and 21 of the Constitution of India.

ii. And consequently direct the second respondent to promote the applicants herein from the cadre of Multi-tasking staff to Tax Assistant w.e.f 17.08.2017, wherein their junior namely A. Narmada was promoted to the post of Tax Assistant w.e.f 17.08.2017 and grant all service benefits, attendant and consequential benefits with arrears.

iii. And to issue such other direction or orders as this Honourable Court may deem fit and proper to grant in the facts and circumstances of the case.

iv. Award costs and render justice. "

3. It is submitted that the applicants had made individual representations on 30.08.2017, 06.09.2017, 07.09.2017 and 31.08.2017 and reminders dt. 13.02.2018 and 07.02.2018 seeking to be considered for promotion to the post of Tax Assistant. The said representations are still pending. Learned counsel for the applicants submits that the applicants would be satisfied if the respondents are directed to consider the representations within a time limit to be stipulated by this Tribunal.

4. Mr. M. T. Arunan takes notice for the respondents.

5. Keeping in view the limited relief sought and without going into the substantive merits of the case, we deem it appropriate to direct the respondents to consider Annexure A10 representations of the applicants dt. 30.08.2017, 06.09.2017, 07.09.2017 and 31.08.2017 in accordance with law and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.

6. OA is disposed of at the admission stage.

(P. Madhavan)
Member(J)

(R.Ramanujam)
Member(A)

07.09.2018

SKSI