

**Central Administrative Tribunal  
Jaipur Bench, Jaipur**

**O.A. No. 414/2019**

Date of decision: 25.07.2019

**Hon'ble Mr. Suresh Kumar Monga, Member (J)  
Hon'ble Mr. A. Mukhopadhaya, Member (A)**

Sh. Abhimanyu Singh Yadav,  
Aged about 37 years,  
S/o Sh. Nirmal Singh Yadav,  
R/o 53B, Neemuch Mata, Udaipur Pin Code:-313004  
Contact No.: -8547001036  
**(Presently working as Dy. Director of Income Tax,  
I&CT, Udaipur).**

...Applicant.

(By Advocate: Shri Satish Pachori)

Versus

Union of India through

1. Secretary,  
Ministry of Finance,  
Department of Revenue,  
North Block, New Delhi Pin Code:-110001.
2. Chairman,  
Central Board of Direct Taxes,  
Department of Revenue,  
Ministry of Finance,  
North Block, New Delhi Pin Code:-110001.
3. Pr.Chief Commissioner of Income Tax (CCA),  
Central Revenue Building,  
Bhagwan Das Road,  
Rajasthan, Japur Pin Code:-302006.

...Respondents.

(2)

**ORDER (ORAL)**

**Per: Suresh Kumar Monga, Member (J):**

The applicant is an officer of Indian Revenue Service. Presently, he is posted as Deputy Commissioner of Income Tax (I & CI), Udaipur.

2. Shri Satish Pachori, learned counsel for the applicant submitted that the applicant's APAR for the year 2016-17 has been illegally and arbitrarily downgraded by his reporting officer. The said APAR has been approved mechanically by his reviewing authority. Learned counsel further submitted that aggrieved by the said action of the respondents, the applicant submitted a representation dated 12.03.2018 (Annexure A/3) before the Principal Chief Commissioner of Income Tax, Rajasthan, Jaipur and no decision has been taken on the said representation as yet.

2. Learned counsel for the applicant stated that the applicant would be satisfied if a direction is issued to the Principal Chief Commissioner of Income Tax, Rajasthan, Jaipur to decide his aforesaid representation dated 12.03.2018 (Annexure A/3) within a time frame.

3. Keeping in view the aforesaid limited prayer of learned counsel for the applicant, we deem it appropriate to dispose of

(3)

the present Original Application at the admission stage without entering into the merits of the case.

4. Accordingly, the present Original Application is disposed of with a direction to the Principal Chief Commissioner of Income Tax, Rajasthan, Jaipur to take a decision over the applicant's representation dated 12.03.2018 (Annexure A/3) and pass a reasoned and speaking order in accordance with law within a period of two months from the date of receipt of a certified copy of this order. A further direction is issued that before taking any decision over the said representation, the applicant shall also be afforded an opportunity of hearing.

5. Ordered accordingly. No order as to costs.

(A.Mukhopadhaya)  
Member (A)

(Suresh Kumar Monga)  
Member (J)

/kdr/