



CENTRAL ADMINISTRATIVE TRIBUNAL

CHANDIGARH BENCH

Hearing by Video Conferencing

O.A. No.060/330/2022

Chandigarh, this the 18th day of April, 2022

HON'BLE SH. SURESH KUMAR MONGA, MEMBER (J)

(On video conference from Central Administrative Tribunal,
Bangalore Bench, Bangalore)

HON'BLE SH. RAKESH KUMAR GUPTA, MEMBER (A)

(On video conference from Central Administrative
Tribunal, Bangalore Bench, Bangalore)

Rajpreet Kaur w/o Late Sh. Amarjit Singh, resident of c/o
Ranjeet Singh, Rishi Colony, Gali No. 5, Patiala, Age 37
years.

...Applicant

(BY ADVOCATE: Sh. Harpal Singh proxy counsel for
Sh. D.R. Sharma)

VERSUS

1. Union of India through its Secretary, Ministry of Finance,
Department of Revenue, Government of India, North Block,
New Delhi-110011.
2. The Chief Commissioner of Income Tax (NWR), Central
Revenue Building, Sector 17, Chandigarh.
3. The Principal Commissioner of Income Tax, Patiala.

...Respondents

O R D E R(Oral)



Per: SURESH KUMAR MONGA, MEMBER (J):

1. Sh. Harpal Singh, appearing as proxy for Sh. D.R. Sharma, learned counsel for the applicant submitted that the applicant's husband Sh. Amarjit Singh had been working as Waterman-cum-Peon and unfortunately, he expired on 12.11.2019 while in services of the respondents. After his death, the applicant was engaged as a casual worker. However, later on, her services were terminated on 01.04.2021.
2. Learned counsel further submitted that the applicant had submitted two separate representations dated 16.12.2019 and 04.01.2020, making therein the requests for release of family pension and also to appoint her on a suitable post on compassionate grounds. Since the respondents failed to take a decision over the said representations, therefore, under the compelling circumstances, she got issued a Legal Notice through her counsel on 01.05.2021 (Annexure A-1).
3. Grievance of the applicant herein is that neither the respondents have taken a decision over her



- representations nor they have replied the Legal Notice dated 01.05.2021.
4. Contention of learned counsel for the applicant is that the applicant has a right to have considered her representations.
 5. Learned counsel stated that the applicant will be satisfied if a direction is issued to the respondents to treat the aforesaid Legal Notice as her representation and pass a reasoned and speaking order over the same within a time frame.
 6. Keeping in view the aforestated limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present Original Application, at the admission stage itself, without entering into the merits of the case.
 7. Accordingly, the Original Application is disposed of with a direction to Principal Chief Commissioner of Income Tax (NWR), Chandigarh (Respondent No. 2 herein) to treat the applicant's Legal Notice dated 01.05.2021 (Annexure A-1) as her representation and pass a reasoned and speaking order over the same in accordance with law. Before taking such a decision, the applicant shall also be afforded an



opportunity of hearing. The whole exercise shall be undertaken within a period of six weeks from the date of receipt of a certified copy of this order.

8. Ordered accordingly. However, there shall be no orders so as to costs.

(RAKESH KUMAR GUPTA)
Member (A)

(SURESH KUMAR MONGA)
Member (J)

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