

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

M.A.No.59/2020 in & O.A.No.137/2020

Dated Wednesday, the 29th day of January, 2020

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

1. K. Vasudevan

2. P. Dhandapani

3. K.R. Manokaran

4. R. Rajesh Kumar

5. B. Sudesh

... Applicants

By Advocate M/s Akbar Row

Vs

1. The Union of India

rep. By The Secretary to Government

Ministry of Finance, Department of Revenue

North Block, New Delhi 110 001.

2. The Chairman

Central Board of Indirect Taxes and Customs

North Block, New Delhi 110 001.

3. The Principal Chief Commissioner of GST & Central Excise

26/1, Mahatma Gandhi Road

Chennai – 600 034.

... Respondents

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

Heard. MA 59/2020 filed by the applicants for joining together to file a single OA is allowed.

2. The applicants have filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To direct the first & second respondents to consider the applicants representations(A-1) for conferring temporary status and regularisation by taking into account their long years of service as Casual Labourer and also in view of the judgment in Rita Mary case WP Nos. 16733/2009 & Batch by the Hon'ble Madras High Court for framing a scheme for Casual Labourers, which stood upheld by the Hon'ble Supreme Court on 19.04.2018 and thus render justice.”

3. All the applicants were engaged as Casual Labourers in the 3rd respondent's establishment and their dates of joining are 30.03.1993, 01.08.1997, 21.10.1997, 15.09.2000, 14.07.2003 respectively. Since their dates of initial engagement, all the applicants have been working for eight hours per day continuously without any break for more than 10 years. Hence as per the DOPT scheme dated 10.09.1993, the applicants are eligible for conferment of temporary status. The applicants have given representations to the competent authority for grant of temporary status in the light of the orders of the Madras High court in WP No.16733/2009 & Batch in Rita Mary case to frame a scheme for casual labourers and consider granting them temporary status and regularization and the same has been upheld by the Hon'ble Supreme Court on 19.04.2018. Since there is no reply, they have filed this OA.

4. When the matter came up for admission, learned counsel for the applicants would submit that the applicants will be satisfied if the competent authority is directed to consider their representations at Annexure A-1

dated 03.07.2019, 03.07.2019, 30.06.2019, 30.06.2019 05.07.2019 respectively and pass orders, within a stipulated time limit.

5. In view of the limited relief sought and without going into the merits of the case, the OA is disposed of in the following lines:

"The competent authority is directed to consider the representations of the applicants dated 03.07.2019, 03.07.2019, 30.06.2019, 30.06.2019 05.07.2019 respectively on the basis of the relevant rules and regulations and pass a reasoned and speaking order, within a period of four months from the date of receipt of a copy of this order. "

**(T.JACOB)
MEMBER (A)**

29.01.2020

**(P.MADHAVAN)
MEMBER (J)**

M.T.