

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00024/2021

Jabalpur, this Monday, the 08th day of February, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



Naresh Kumar Sondiya, Aged 50 years,
 S/o Ramawtar Sondiya, Occupation: Service,
 Residents of House No. 350, SBI Colony,
 Near Lehri Baba Ashram, Ukhri Road,
 Jabalpur, M.P.482001

-Applicant

(By Advocate – **Shri Anoop Nair**)

V e r s u s

1. Union of India,
 through its Secretary,
 Department of Revenue,
 Ministry of Finance,
 North Block, New Delhi-110001

2. The Principal Chief Commissioner of Income Tax
 (MP&CG), Madhya Pradesh Aayakar Bhawan,
 48 Arera Hills, Hoshangabad Road,
 Bhopal-462011

3. Joint Commissioner of Income Tax
 (Hqrs./Admn & TPS) O/o Principal Chief Commissioner
 of of Income Tax (MP&CG),
 Madhya Pradesh
 Aayakar Bhawan, 48 Arera Hills,
 Hoshangabad Road,
 Bhopal-462011

- Respondents

(By Advocate – **Shri Sanjay Lal**)

O R D E R(ORAL)**By Ramesh Singh Thakur, JM:-**

Heard.

2. This Original Application has been filed by the applicant against the inaction on the part of the respondents in not considering the case of the applicant for regularization.

3. The applicant was initially appointed as a daily wage casual labour in the office of the respondents on the post of Waterman on 06.02.1991 (Annexure A-1). Subsequently, in the year 1993, the Govt. of India, Dept. of personnel and Training introduced a scheme known as Casual Labourers (Grant of Temporary Status and Regularization) Scheme, 1993. Under the provisions of the Scheme, Temporary Status was accorded to the applicant with effect from 01.09.1993. Several other benefits which are the part of the scheme were also extended in favour of the applicant. Subsequently, one Ravi Verma, a casual worker engaged in the dept. of the respondents, instituted a case before the Hon'ble Supreme Court seeking regularization. The Hon'ble Supreme Court vide order dated 13.03.2018 (Annexure A-10) directed regularization of daily wages employees in the Income Tax Department.





4. In compliance of the aforesaid order, the Department granted regularization to Ravi Verma. In the light of the aforesaid decision as well as the Scheme, the applicant on several occasions, urged the respondents to consider the case of the applicant also for regularization. However, the reasonable request of the applicant has not been looked into by the respondent department.

5. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the applicant may be permitted to file a detail representation to the competent authority and the competent authority of the respondents may be directed to decide the same in a time bound manner.

6. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

7. We have considered the matter and we are of the view that the natural justice will be met if the applicant is directed to make a detail representation to the competent authority of the respondents and the competent authority is directed to decide the same in a time bound manner.

8. Resultantly, the applicant is directed to make a detail representation within a period of one week from today to the

competent authority of the respondents and the competent authority of the respondents is directed to decide the same within a further period of six weeks after receiving the detail representation.



9. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in the detail representation.

10. However, it is made clear that this Tribunal has not touched the merit of the case.

11. With these observations, this Original Application is disposed of at admission stage itself.

(Naini Jayaseelan)
Administrative Member
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(Ramesh Singh Thakur)
Judicial Member