

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

ORIGINAL APPLICATION NUMBER 376 OF 2002

MONDAY, THIS THE 5th DAY OF MAY, 2003

HON'BLE MRS. MEERA CHHIBBER, MEMBER(J)

Sunil Kumar Singh,  
s/o Bholu Singh,  
r/o Narain pur,  
P.O. Shivpur,  
District- Varanasi.

...Applicant

(By Advocate : Shri S.K. Mishra)

V E R S U S

1. Union of India through the Secretary,  
Ministry of Finance,  
Central Board of Direct Taxes,  
New Delhi.
  2. The Chief Income Tax Commissioner, Lucknow.
  3. The Dy. Commissioner,  
Income Tax,  
Varanasi.
- .....Respondents

(By Advocate : Shri M.B. Singh -Absent)

O R D E R

Grievance of the applicant in this case is that he had been engaged as Casual Labour in June 1998 under Dy. Commissioner Income Tax, Varanasi. Since ~~then~~ he was made to the work of typist against the existing vacancy, but was paid as casual labour. Since the other colleagues namely Km.Asha Das, Ashok Kumar and Virendra Sonakar were paid in the scale of pay of typist vide letter dated 21.10.1994 (Annexure A-I), he also requested to be paid



in scale of typist. The result was <sup>that respondents R</sup> ~~declared~~ disengaged <sup>him</sup> from service without giving any reason. Even though persons who were engaged as Casual Labour namely Shri Om Prakash Singh, Akhilesh Kumar Singh, Umesh Day, Raju and Shiv Kumar were still continued as Casual Labour. He has further submitted that neither the strength was reduced nor establishment was abolished but he was dis-engaged, simply because he had asked for being paid in the scale of typist. Therefore, being aggrieved he gave a representation on 21.01.2000 followed by 08.03.2001 but till date the same has not been replied <sup>by</sup> ~~to~~ by the respondents. Representations are filed as Annexure A-2 and A-3 with the O.A.

2. I have heard the counsel for the applicant and perused the pleadings as well.

3. This O.A. was filed on 08.03.2002 but even after one year has passed, no reply has been filed by the respondents. It is a specific case of applicant that he had already given representation to the respondents which are not being considered or replied to by them. Therefore, this O.A. is being disposed off by giving a direction to the respondents to consider his representation and this O.A. as well, by considering the same as his representation and to dispose off the same by passing a reasoned and speaking order within a period of 3 months from the date of receipt of a copy of this order under intimation to the applicant.

3. With the above direction, this O.A. is disposed off with no order as to costs.