

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 05th day of August, 2010

ORIGINAL APPLICATION NO. 364/2010

CORAM

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER

Abhishek Maheshwari son of Shri Vinod Kumar Maheshwari, aged about 31 years, resident of 2A, Khadi Colony, Hatwara Road, Near ESI Dispensary NO. 4, Sodala, Jaipur, served as Computer Operator at the office of the Assistant Commissioner of Income Tax, Circle-6, Jaipur.

.....Applicant

(By Advocate : Dr. Saugath Roy)

VERSUS

1. Union of India through Under Secretary, Government of India, Ministry of Finance, Department of Revenue, New Delhi.
2. The Chief Commissioner of Income Tax (Cadre Controlling Authority), NCR Building, Statue Circle, Jaipur.

.....Respondents

(By Advocate: -----)

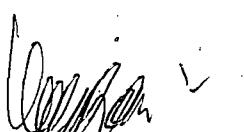
ORDER (ORAL)

The applicant has filed this OA thereby praying for the following reliefs:-

- "(i) That the respondents be directed to engage and continue the applicant on the post of Computer Operator/Data Entry Operator and in terms of the circular issued for regularization of the services of those, who had served more than 10 years of service, the case of the applicant be considered for regularization against sanctioned post with all consequential benefits.
(ii) The cost of the original application be quantified to the applicant."
2. The grievance of the applicant in this case is that in terms of the policy decision/Circular issued in the light of DOPT, New Delhi's OM No. 49019/1/2006-Estt.(C) dated 11.12.2006 read with letter dated 07.09.2007 issued by the Joint Secretary, the applicant is entitled for

regularization of his services. It is further pleaded that the case of the applicant for regularization has also been recommended by the Additional Commissioner of Commissioner vide letter dated 11.08.2008 (Annexure A/9). It is also submitted that in similar circumstances, this Tribunal in earlier OA has directed the respondents to consider the case of eligible persons for regularization in terms of the aforesaid policy decision. Learned counsel for the applicant further submits that he will be satisfied if similar directions is given to the respondents to consider the case of the applicant in the light of the aforesaid policy.

3. I have given due consideration to the submission made by the learned counsel for the applicant. Since the representation of the applicant dated 15.04.2010 (Annexure A/1) regarding regularization of his service is pending before the Chief Commissioner of Income Tax, Jaipur, I am of the view that ends of justice will be met if time bound direction is given to the respondents to decide the representation of the applicant dated 15.04.2010 (Annexure A/1) by passing a reasoned & speaking order in the light of the CBDT circular No. 12033/4/2007-Ad.VII dated 14.09.2007 read with DOPT OM No. 49019/1/2006-Estt.(C) dated 11.12.2006. Accordingly, respondent no. 2 is directed to decide the representation of the applicant dated 15.04.2010 (Annexure A/1) within a period of two months from the date of receipt of a copy of this order.
4. With these observations, the OA is disposed of at admission stage with no order as to costs.



(M.L. CHAUHAN)
MEMBER (J)

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