

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 20.12.2012

OA No. 865/2012

Mr. Amit Mathur, counsel for applicants.

Heard learned counsel for the applicants.

Learned counsel for the applicants submits that similar controversy has already been decided by this Bench of the Tribunal vide order dated 01st May, 2012 in O.A. No. 669/2011 (Kailash Meena & Ors. vs. Union of India & Ors.) and other connected matters. Certified copy of the same has also been placed before the Court. He further submits that this O.A. may also be decided in view of the ratio decided by this Tribunal in OA No. in O.A. No. 669/2011 (supra).

In view of the above, the present Original Application is disposed of by a separate order on the separate sheets.

Anil Kumar

(ANIL KUMAR)

ADMINISTRATIVE MEMBER

Kumawat

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 865/2012

DATE OF ORDER: 20.12.2012

CORAM

HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

1. Pawan Kumar Rawal S/o Shri Chhotu Lal, aged around 27 years, R/o 1/32, Ganesh Talab, Basan Vihar, Kota, District Kota (Rajasthan).
2. Anil Kumar S/o Shri Chhitar Lal, aged around 31 years, R/o 95, Tilak Nagar, Kota, District Kota (Rajasthan).
3. Jitendra Katariya S/o Shri Suraj Mal Katariya, aged around 27 years, R/o 3-K-13, Dada Bari Extension, Kota (Rajasthan).
4. Shambhu Dayal Suman S/o Shri Chandra Mohan Suman, aged around 27 years, R/o Kankanshwar Mahadev Mandir, Kunahadi, Kota, District Kota (Rajasthan).
5. R.L. Nagar S/o Shri Bajran Lal Nagar, aged around 34 years, R/o Near Vivekanand School, Arjun Vihar Colony, Baran, District Baran (Rajasthan).
6. Shri Satish Jhankad S/o Shri Babu Lal Jhankad, aged around 28 years, R/o 1-TA-63, Teachers Colony, Kota, District Kota (Rajasthan).
7. Hament Sain S/o Shri Nand Lal Singh, aged around 30 years, R/o 2-G-6 Mahaveer Nagar, Kota, District Kota (Rajasthan).
8. Sandeep Singor S/o Shri Chand Mal Singor, aged around 29 years, R/o Near Vijayvargiya Ice Factory, Rampura, Kota, District Kota (Rajasthan).
9. Rajkumar S/o Shri Krishan Gopal, aged around 26 years, R/o Railway Colony, Nahar Ki Puliya Ke Pass, Kota Junction, Kota (Rajasthan).
10. Vinit Kumar Kochar S/o Shri Birdhi Lal Kochar, aged around 27 years, R/o Keval Nagar, Ladpura, Behind Bus Stand, Kota, District Kota (Rajasthan).
11. Vikram Singh S/o Shri Balram Singh, aged around 26 years, R/o Hanuman Mandir, Chhavani Area, Kota, District Kota (Rajasthan).
12. Narendra Singh S/o Shri Bihari Lal, aged around 25 years, R/o C/o Income Tax Office, Sawai Madhopur, District Sawai Madhopur (Rajasthan).
13. Mahendra Sharma S/o Shri Ramesh Chand Sharma, aged around 28 years, R/o Near Circuit House, Sawai Madhopur, District Sawai Madhopur (Rajasthan).
14. Bhagwan Mali S/o Shri Ramgopal, aged around 27 years, R/o Near Veterinary Hospital, Satya Narayan Mohallan, Sawai Madhopur, District Sawai Madhopur (Rajasthan).

15. Mukesh Kumar S/o Shri Badri Lal, R/o Near Prakash Talkiz, Khasa Kothi, Sawai Madhopur, District Sawai Madhopur (Rajasthan).
16. Mukesh Sain S/o Shri Ram Lal Singh, R/o Ghoshi Mohallan, Sawai Madhopur (Rajasthan).
17. Banwari S/o Shri S.K. Sharma, aged around 29 years, R/o Keshav Kaha, Khirni, Sawai Madhopur (Rajasthan).
18. Sushil Sharma S/o Shalendra Sharma, aged around 29 years, Sorti Bazar, Sawai Madhopur.

...Applicants

Mr. Amit Mathur, counsel for applicants.

VERSUS

1. Union of India through its Secretary, Ministry of Finance, Department of Revenue, North Block, New Delhi.
2. Chairman, Central Board of Direct Taxes, Ministry of Finance, Department of Revenue, North Block, New Delhi.
3. Commissioner, Income Tax, Kota Division, Kota, (Rajasthan).

...Respondents

ORDER (ORAL)

The applicants have filed this Original Application praying for the following reliefs: -

- "(i). the impugned order ANNEXURE-1 dated 7-03-12 may kindly be quashed and set aside. The directions may kindly be issued to the respondents to allow the applicants continue in their office and the applicants may be allowed to perform duty in direct control and supervision of the respondents as they were working prior to 7-03-12.
- (ii) Any other order or relief which this Hon'ble Tribunal deems just and proper may kindly be passed in favour of applicants.
- (iii) Cost of the Original Application be awarded in favour of the humble applicants."

2. Heard the learned counsel for the applicants. He submitted that the controversy and legal position involved in the present

Amit Kumar

Original Application are similar to the issue raised in the Original Application No. 669/2011 (Kailash Meena & Ors. vs. Union of India & Ors.) and other connected matters, which was decided by this Bench of the Tribunal vide order dated 01st May, 2012. He further submitted that this Original Application be decided as per the view taken by this Tribunal in OA No. 669/2011 (supra) & other connected matters.

3. I have gone through the pleadings of present Original Application, the documents available on record and also the order dated 01st May, 2012 passed by this Tribunal in OA No. 669/2011 (supra) & other connected matters. I am in agreement with the averments made by the learned counsel for the applicants that the facts, controversy and legal position of the present Original Application are quite similar to the facts, controversy and the legal position in OA No. 669/2011 (supra) & other connected matters, which was decided by this Tribunal vide order dated 01st May, 2012.

4. Having considered the submissions made on behalf of the applicants, looking to the facts and circumstances of the present case and also having gone through the order dated 01st May, 2012 passed by this Tribunal in OA No. 669/2011 (supra) & other connected matters, I am of the considered opinion that the view expressed by this Tribunal in OA No. 669/2011 (supra) & other connected matters, is squarely applicable to the facts and circumstances of the present case. Therefore, the present Original Application is disposed of in terms of the order dated

Anil Kumar

01st May, 2012 passed by this Tribunal in OA No. 669/2011 (supra) & other connected matters. The order dated 01st May, 2012 passed by this Tribunal in OA No. 669/2011 (supra) & other connected matters shall be treated as part of this order.

5. Accordingly, the present Original Application stands disposed of with no order as to costs.

Anil Kumar
(ANIL KUMAR)
ADMINISTRATIVE MEMBER

kumawat