

Central Administrative Tribunal Principal Bench, New Delhi

O.A.No.3117/2016

Monday, this the 27th day of November 2017

Hon'ble Mr. K.N. Shrivastava, Member (A)

1. Sh. Indrajeet Singh
Aged about 44 years
s/o Sh. Raj Pati Singh
r/o 621, Kamla Nehru Nagar
Ghaziabad
(working as casual labour)
2. Sh. Manoj Kumar
Aged about 36 years
s/o Sh. Ashok Kumar
r/o 14/180, Dadri
Niadarganj, Gautam Budh Nagar
(working as casual labour)
3. Sh. Deepak Kumar Gautam
Aged about 36 years
s/o late C P Gautam
r/o H.No.218, Shatabdi Puram
Near Govind Puram, Ghaziabad
(working as casual labour)

..Applicants

(Mr. S K Gupta, Advocate)

Versus

Union of India through

1. Secretary
Ministry of Finance
Department of Revenue
North Block, New Delhi
2. Chairman
Central Board of Direct Taxes
Department of Revenue
Ministry of Finance
North Block, New Delhi
3. Pr. Chief Commissioner of Income Tax (CCA)
Aaykar Bhawan, Civil Lines
Kanpur
4. Chief Commissioner of Income Tax

Hapur Chungi
CGO Complex I
Ghaziabad

..Respondents

(Mr. Manjeet Singh Reen, Advocate)

O R D E R (ORAL)

Through the medium of this O.A., filed under Section 19 of the Administrative Tribunals Act, 1985, the applicants have prayed for the following main reliefs:-

“(i) declare the action of respondents in not considering the case of the applicants for regularization as illegal and arbitrary;

(ii) direct the respondents to consider the case of the applicants for regularization w.e.f. the due date and confer all consequential benefits arising out of regularization.”

2. Mr. S K Gupta, learned counsel for applicants submits that the issues involved in this O.A. have been squarely covered by the judgment of Patna Bench at Ranchi of this Tribunal in **Ajit Kumar Ojha & others v. Union of India & others** (O.A. No.10/2007) decided on 24.11.2008, which has been confirmed by the Hon’ble High Court of Jharkhand at Ranchi in W.P. (S) No.7328/2012 decided on 29.01.2013 and by the Hon’ble Apex Court in Special Leave to Appeal (C) No.14740/2013 decided on 07.10.2013.

3. Learned counsel for respondents was given time to seek clarification from the respondents as to the averments made by learned counsel for applicants in this regard. Mr. Manjeet Singh Reen, learned counsel for respondents has received an email dated 09.10.2017 from the respondents informing that the respondents have indeed implemented the aforesaid judgment in **Ajit Kumar Ojha** (supra).

4. In view of the submissions made, this O.A. is allowed in terms of the aforesaid judgment of the Tribunal in **Ajit Kumar Ojha**. The respondents are directed to grant the benefits within three months from the date of receipt of a copy of this order. No order as to costs.

(K.N. Shrivastava)
Member (A)

November 27, 2017
/sunil/