

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO. 170/00175/2017

DATED THIS THE 11TH DAY OF OCTOBER, 2017

HON'BLE DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (A)

Mahantesh S. Kanthi,
46 years,
Casual labour (temporary status)
Central Excise (Hqrs)
Belgavi Division, Belgavi,
PIN: 590 001,
R/o Malmaruthi, Kittur Channamma Society,
Plot No. 124, Srinagar, Belgavi - 16

.....Applicant

(By Advocate Shri Raju Bhat)

Vs.

1. Union of India,
Department of Revenue,
Ministry of Finance,
North Block, New Delhi – 110 001.
Represented by its Secretary.
2. Chief Commissioner of Central Excise,
Bengaluru Zone,
Central Revenue Buildings, P.B. No. 5400,
Queen's Road,
Bengaluru – 560 001.
3. Chief Commissioner of Central Excise,
Mysore Central Excise Zone,
Siddarth Nagar, Mysore – 570 001.
4. Assistant Commissioner of Central Excise
Dharwad Division, 1st floor,
C.R. Building, PB Road,
Navanagar, Hubli – 580 020.
5. Commissioner of Central Excise and Customs,
No. 71, Club Road, Belagavi – 590 001.

6. Chairman,
Central Board of Customs & Excise,
North Block, New Delhi – 110 001.

....Respondents

(By Shri M.V. Rao, Senior Panel Counsel)

ORDER (ORAL)

DR. K.B. SURESH, MEMBER (J):

We heard the matter in great detail. It appears that the applicant had been given temporary status and will continue in that. Shri M.V. Rao, learned counsel for the respondents, submits that the only issue is that there is no regular vacancy available to which he can be posted. He suggests that the applicant can be posted as Havaldar and later when the post of Multi Tasking Staff will be vacant he will be adjusted against this vacancy. The learned counsel for the applicant also has no objection to it. Therefore there will be a mandate to the respondents to regularize the applicant as Havaldar and when the vacancy comes as Multi Tasking Staff he will be adjusted. This may be done within two months next.

2. The OA is disposed off. No order as to costs.

(PRASANNA KUMAR PRADHAN)
MEMBER (A)

(DR. K.B. SURESH)
MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00395/2017

Annexure A1: True copy of order C.No.: II/3/15/96-Estt. dated 21.06.1996 issued by the office of the Commissioner of Central Excise, Belgaum

Annexure A2: True copy of judgment in OA No. 34/2008 dated 20.10.2008 passed by Central Administrative Tribunal, Bangalore Bench.

Annexure A3: True copy of order C.No.: II/39/06/2008-Estt. dated 13.11.2015 issued by the office of the Commissioner of Central Excise, Belgaum

Annexure A4: True copy of order C.No.: II/39/04/2012-Estt. dated 21.04.2015 issued by the office of the Commissioner of Central Excise, Belgaum

Annexure A5: True copy of order C.No.: II/39/19/2015-Estt.A-CCU dated 20.10.2016 issued by the office of the Chief Commissioner of Central Excise, Bengaluru

Annexure A6: True copy of representation of the applicant dated 08.08.2016 addressed to the 2nd respondent

Annexure A7: True copy of representation of the applicant dated Nil addressed to the 2nd respondent

Annexures with reply statement:

Nil.
