

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/20/827/2018

Dated: 26.03.2019

Between:

1. B. Shiva Shankar,
S/o. B. Narayan Rao,
Aged about 60 years,
Occ: Casual labour Temporary Status,
O/o Commissioner,
Central Excise & Customs,
Kakinada Division-I,
Custom House, Kakinada.
2. S.K. Mastanvali,
S/o. Fakhir Ahemed,
Aged about 60 years,
Occ: Casual labour Temporary Status,
O/o Commissioner,
Central Excise & Customs,
Kakinada Division-I,
Custom House, Kakinada.

í Applicants

AND

1. Union of India rep. by its Chief Commissioner, Central Excise & Customs, Visakhapatnam Zone, Visakhapatnam.
2. The Commissioner, Central Excise & Customs, Visakhapatnam-I Commissionerate, Visakhapatnam.
3. The Commissioner, Central Excise & Customs, Kakinada Division-1, Custom House, Kakinada.

.... Respondents

Counsel for the Applicants : Mr. K. Sudhaker Reddy

Counsel for the Respondents : Mr. T. Hanumantha Reddy, Sr. PC to CG

CORAM:

Hon'ble Mr. Justice R. Kantha Rao, Member (J)
Hon'ble Mr. B.V. Sudhakar, Member (A)

ORAL ORDER

[Per Hon'ble Mr. Justice R. Kantha Rao, Member (J)]

Heard Sri K. Sudhaker Reddy, learned counsel appearing for the applicants. Sri T. Hanumantha Reddy, learned Senior Panel Counsel appearing for the respondents seeks time to file counter reply. As we are inclined to dispose of the O.A. with a direction to dispose of the representation submitted by the applicants for regularisation, we want to dispose of the O.A. at the stage of admission, even in the absence of counter affidavit.

2. The applicants have been working as casual labourers in Kakinada Division in respondent organization since 26.10.1992. Earlier they approached the Tribunal by filing O.A. No.971/2010 seeking to grant them temporary status. The Tribunal allowed the O.A. vide order dated 26.4.2011 and granted them temporary status. Against the said order, the respondents approached the Hon'ble High Court of Andhra Pradesh by filing Writ Petition No.18449/2011. The Writ Petition was dismissed by order dated 13.7.2011 confirming the order passed by the Tribunal.

3. According to the applicants, they are eligible for regularisation as Multi-Tasking Staff/Sepoy/ Hawaldar. They submitted that casual labourers who were conferred temporary status and similarly placed were regularised and were appointed as Multi Tasking Staff in Hyderabad Commissionerate and Guntur Commissionerate. It is brought to the notice of the Tribunal that those who were given temporary status subsequent to the applicants were regularised and, therefore, the applicants are entitled for regularisation. The

applicants submitted representation dated Nil.06.2016 requesting the 1st respondent to regularise their services and the same is pending without passing any orders.

4. Under these circumstances, without going into the merits of the case, we direct the 1st respondent to consider the representation submitted by the applicants and pass appropriate orders on the issue of regularization of their services, within a period of eight weeks from the date of receipt of this order.

5. The O.A. is accordingly disposed of. No order as to costs.

(B.V. SUDHAKAR)
MEMBER (A)

pv

(JUSTICE R. KANTHA RAO)
MEMBER (J)