

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No.290/00246/2019

Jodhpur, this the 27th September, 2019

CORAM

Hon'ble Smt Hina P. Shah, Judicial Member

1. Praveen Singh Bhati son of Sh. Madan Singh, aged about 37 years, presently employed as Casual Peon (MTS) in the office of Income Tax, CCIT, Jodhpur.
2. Kamal Pal S/o Shri Babu Lal, aged about 39 years, at present employed as Casual Labour (MTS) in the office of CCIT, Income Tax, Paota C Road, Jodhpur.
3. Shravan Kumar son of Shri Charan Das, aged about 29 years, at present employed as Casual Safaiwala/Sweeper (MTS), in the office of Income Tax Office, CCIT, Jodhpur.
4. Amit Kumar Pandit son of Shri Haridas Pandit, aged about 36 years, at present employed as Casual Labour-Peon (MTS) in the office of Income Tax Office, CCIT, Jodhpur.
5. Hansraj S/o Shri Tulsi Das Khinchi, aged about 28 years, at present employed on the post of Casual/Daily Paid Peon (MTS) in the office of CIT-2, Aaykar Bhawan, Paota C Road, Jodhpur-342001.
6. Rameshwar Lal S/o Shri Mohan Ram, aged about 47 years, at present employed on the post of Casual/Daily Paid Peon (MTS) in the office of CCIT, Aaykar Bhawan, Paota C Road, Jodhpur-342010.
7. Ravi Prakash S/o Shri Poonam Prakash, aged about 30 years, at present employed on the post of Casual/Daily Paid Peon (MTS) in the office of CCIT, Aaykar Bhawan, Paota C Road, Jodhpur-342010.

8. Rajendra Singh S/o Shri Shakti Dan, aged about 37 years, at present employed on the post of Casual/Daily Paid Peon (MTS) in the office of ITAT, Paota, Jodhpur-342010.
9. Smt. Shobha Devi wife of Sh. Ashok, aged about 44 years, resident of Harijan Bashi, Udai Mandir, Jodhpur at present employed as Casual Sweeper, in the office of CIT, O/o Income Tax Appellate Tribunal, 69, Polo 1st, Paota, Jodhpur.

Address for correspondence:

C/o Kamal Pal S/o Shri Babu Lal, R/o Near Rai Ka Bagh Palace, Hotel Bachhan Niwas, Jodhpur.

.....Applicants

By Advocate : Mr A.K. Kaushik.

Versus

1. Union of India through Secretary to Govt. of India, Ministry of Finance, Department of Revenue, North Block, New Delhi-110001.
2. Principal Chief Commissioner of Income Tax, C R Building, Statute Circle, B D Road, Jaipur 302001.
3. Chief Commissioner of Income Tax, Paota C Road, Jodhpur-342001.

.....Respondents

By Advocate : Mr Sunil Bhandari.

ORDER (Oral)

Per Smt. Hina P. Shah

The present OA has been filed by the applicant(s) under Section 19 of the Administrative Tribunals Act, 1985 seeking direction on the respondents to consider their candidature for conferment of grant of temporary status from the date they have

completed requisite period of service by applying ratio of judgments referred to by them, for all purposes.

2. Today, when the matter was taken up for admission-hearing, at the outset Mr A.K. Kaushik, learned counsel for the applicant submits that applicants would be satisfied if respondents are directed to treat the present OA as their representation and dispose such representation in a time-bound manner taking into consideration the judgment of CAT Jaipur Bench dated 23.08.2019 passed in OA No. 489/2019 wherein coordinate Bench of this Tribunal at Jaipur in similar case directed the respondents to treat the OA of applicants therein as representation and pass a reasoned speaking order over same while keeping in view the judgment dated 26.07.2012 rendered by the Hyderabad Bench of the Tribunal in OA No. 613/2011.

3. Mr Sunil Bhandari put his appearance on behalf of respondents today and submitted that he does not wish to file reply. He further submits that the respondents have no objection if present OA is disposed of with the direction to the respondents to not only consider the judgment of CAT Hyderabad Bench referred to by learned counsel for the applicant but also other relevant Hon'ble Supreme Court judgments on the subject matter while passing the reasoned and speaking order on the representation of the applicants.

4. In view of limited prayer made by the applicants, without going into merits of the case, Respondents are directed to treat the present OA as applicants' representation and pass a reasoned and speaking order on the same as per law keeping in mind judgment dated 26.07.2012 rendered by CAT Hyderabad Bench in OA No. 613/2011 as well as other relevant Hon'ble Supreme Court judgments, if any, on the subject matter within 02 months from the date of receipt of a copy of this order. It is further directed that respondents shall afford the applicants an opportunity of hearing before making any decision on such representation.

5. In terms of above directions, OA is disposed of with no order as to costs.

**[Hina P. Shah]
Judicial Member**

Ss/-