

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

**OA/020/445/2019 &
MA/20/365/2019**

Dated: 30.04.2019

Between:

1. M. Ramadevi, W/o. Eswara Rao, Aged about 52 Years, Occ: Casual Labour, O/o Income Tax Office, Ward 6 1, Aayakar Bhavan, Opp: Bhaskar Talkies, Gudivada, Krishna District, R/o. H. No. 12/52-B, Relli Street, Gudivada, Krishna District 6 521301.
2. K. Maheshwar, S/o. K. Komuraiah, Aged about 50 Years, Occ: Casual Labour, O/o. Joint Commissioner of Income Tax, Warangal range (I/C), Warangal, R/o. H. No 6 16-11-452, Chintal, Warangal 506002.
3. Shaik Babusa, S/o. Shaik Bickari, Aged about 42 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, Lakshmi Puram, Guntur, R/o. Door No. 4 6 43 C, Lam Post, Tadikonda Mandal, Guntur District - 522034.
4. B. Mallesh, S/o. V. Pullappa, Aged about 44 Years, Occ: Casual Labour, O/o Joint Commissioner of Income Tax, Ananthpur Range, 3rd Road, New Town, Ananthapur, Ananthpur District R/o. H.No. 4/153, Vidyaranya Nagar, Papampeta, Anantapur, Anantapur District 6 515004.
5. D. D. Srinivasan, S/o. D. M. Desappa, Aged about 39 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, Range-1, Tirupati, R/o. Door No. 4-4-650/A, Reserir Road, Nehru Nagar, Tirupati.
6. N Laxmi Devi, W/o. N Anand, Aged about 53 Years, Occ: Casual Labour, O/o Joint Commissioner Of Income Tax, Kurnool Range, Kurnool, R/o. H.No. 46-163-18-Q, Budhawarapeta, Kurnool 6 518002.
7. D. Srinivasulu, S/o. Venkateswarlu, Aged about 48 Years, Occ: Casual Labour, O/o Joint Commissioner of Income Tax, Kurnool, R/o. Door No. 50/18, Arora Nagar, B Camp, Kurnool, Kurnool District - 518002.
8. A. Eswaraiah, S/o. A. Gangaiah, Aged about 43 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, Range-1, Tirupati, R/o. Door No. 6-2-156/3, T Nagar, Tirupati, Chittor District.

9. B. Surya Rao, S/o. B. Appala Naidu, Aged about 50 Years, Occ: Casual Labour, Income Tax Office, Siddardha Nagar, Vizainagaram, Vizainagaram District, R/o. Kumaram, Jami Mandal, Vizainagaram, Vizainagaram District.
10. D. Kasaiah, S/o Saidulu, Aged about 43 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, Range 4, 7th Floor, D Block, Income Tax Towers, A. C. Guards, Hyderabad, R/o. H.No. 9-101/7, Channareddy Colony, Peerzadiguda, Uppal, Hyderabad -500098.
11. T. Udaya Bhaskar, S/o. T. Chengalarayudu, Aged about 43 Years, Occ: Casual Labour, O/o Principal Commissioner of Income Tax, Tirupati, I Floor, Aayakar Bhavan, K T Road, Tirupati, R/o. Door No. 17-2, Peddaharijanawada, Mogarala, Damalacheruvu, Chittoor, Andhra Pradesh - 517152.
12. V. Satyanarayna Murthy, S/o. Late. Stayanarayana Murthy, Aged about 49 Years, Occ: Casual Labour, Income Tax Office, Ward No. 1, Gandhi Nagar, 2nd Lane Anakapalli, Visakhapatnam District, R/o. Door No 1-4-133, Gandhi Nagar, Income Tax Office Street, Anakapalli, Visakapatnam District ó 531001.
13. U. Bharathamma, W/o. Gopal, Aged about 46 Years, Occ: Casual Labour, O/o Joint Commissioner Of Income Tax, Kurnool Range, Aayakar Bhavan, Opp : Children Park, N. R. Pet, Kurnool, R/o. H.No. 76/97-58G, Weaker Section Colony, Kurnool.
14. A. Rambotlu S/o. A. Mallaiah, Aged about 44 Years, Occ: Casual Labour, O/o. Joint Commissioner Of Income Tax, Dargamitta, Nellore, R/o. Door No.3-2-241, Chakali Street Nawabpet, Nellore - 524002.
15. K. Mahender, S/o K. Ailaiah, Aged about 40 Years, Occ: Casual Labour, O/o Income Tax Office, Ward ó 1, Pathi Srinadham Complex, Ramaiahguda Road, Vikarabad, R/o. H.No. 3-6-105/17, Venkat Reddy Nagar, Ramanthapur, Amberpet, Uppal, Hyderabad ó 500013.
16. V. Reddyswara, S/o. V. Thimmaiah, Aged about 38 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, No. 22, K T Road, Tirupati, R/o. Door No. 13-138/2, L. B. Nagar. M. R. Palli, Tirupati Chittoor District, Andhra Pradesh ó 517502.
17. V. Lakshma Naik, S/o. V. Bheema Naik, Aged about 48 Years, Occ: Casual Labour, O/o Joint Commissioner of Income Tax, Anantapur Range, 3rd Road, New Town, Anantapur, R/o. H.No. 2/45, N N C Thanda, Somandepalli Mandal, Anantapur ó 515122.

18. B. Ramu, S/o. B. Gopal, Aged about 40 Years, Occ: Casual Labour, O/o Principal Commissioner of Income Tax, Aayakar Bhavan, Tirupati, R/o. Door No 8-37/6, Bhandhari Colony, Santhi Nagar, MR Palli, Tirupati, Chittoor District.
19. P. Sivaparvathi, D/o. P. Sambasiva Rao, Aged about 48 Years, Occ: Casual Labour, O/o Additional Commissioner Of Income Tax, Range 2, 1st Floor, Rajkamal Complex, Lakshipuram, Guntur, R/o. H.No. 5-71-25-6/21, Brodipet , Guntur 522005.
20. V. Gavaraju, S/o. V. Nagaraju, Aged about 50 Years, Occ: Casual Labour, O/o Income Tax Office, Ward 1, Doddipatla Rd, Palakol, R/o. Income Tax Office Quarters, Type 2, Doddipatla Rd, Palakol, West Godvari- 534260.
21. H. Asha, D/o Mohan Singh, Aged about 46 Years, Occ: Casual Labour, O/o Director of Income Tax, Investigation Department, 3rd Floor, Aayakar Bhawan, Basheerbagh, Hyderabad, R/o. H.No. 5-9-884, Abids, Gunfoundry, Nampally, Hyderabad -500001.
22. B. Anuradha, D/o B. Mallesh, Aged about 48 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, Range 4, 7th Floor, D Block, Income Tax Towers, A.C. Guards, Hyderabad, R/o. H.No. 2-3-603/49/82/1, New Patel Nagar, Amberpet, Hyderabad.
23. G. Yadagiri, S/o. G. Rajaiah, Aged about 43 Years, Occ: Casual Labour, Pr. Director of Income Tax (INV), 3rd Floor Anexe Building, Aayakar Bhawan, Basheerbagh, Hyderabad, R/o. H.No. 1-38-1885, Block No. 4.285 S/F, Krishna Nagar, Rasoolpura, Secunderabad, Hyderabad - 500003.
24. Y. Gurumurthy, S/o. Late Appa Rao, Aged about 42 Years, Occ: Casual Labour, Income Tax Office, Siddardha Nagar, Vizainagaram, Vizainagaram District, R/o. Door No 17-12-9, Jonnaguddi, Balaji Junction, Vizainagaram, Vizainagaram District.
25. G. Naresh, S/o G. Jagan, Aged about 44 Years, Occ: Casual Labour, O/o Joint Commissioner of Income Tax, Range 5, 3rd Floor, D Block, Income Tax Towers, A. C. Guards, Hyderabad, R/o. H.No. 1-3-373, Tallabasty, Kawadiguda, Hyderabad.
26. K. Shankar, S/o. K. Narayana, Aged about 45 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, Range -1, 7th Floor, B- Block, I.T.Towers, Hyderabad, R/o. H No. 5-30, Vinayaka Nasgar, Madina Mazid, Sanga Reddy, Medak District 502001

27. M. Narasimha Rao, S/o. M. Koteswara Rao, Aged about 46 Years, Occ: Casual Labour, O/o. Income Tax Office, Ward-1, G. B. C. Road, Bapatla, R/o. Door No. 8-1-58, Ward 14, Hanumantha Rao Colony, Bapatla Guntur District - 522101.
28. A. Kiran Kumar, S/o. A. Bhaskar, Aged about 42 Years, Occ: Casual Labour, O/o. Income Tax Office, Ward-1, Narasinga Rao Pet, Gudur, Nellore District, R/o. Door No. 9/428, Danduvari Stret, Kapadi Palem, Nellore, Nellore District.
29. P. Venkanna, S/o. P. Subba Rao, Aged about 44 Years, Occ: Casual Labour, O/o Income Tax Officer, Ward 1, Opp : Sai Baba Temple, Bose Road, Tenali, R/o. Door No. 5-9-59/7, 3rd Line, Patel Nagar, Bapatla, Guntur Disrtrict 522101.
30. G. Satya Rao, S/o G. Appanna, Aged about 40 Years, Occ: Casual Labour, O/o Chief Commissioner of Income Tax, 3rd Floor, Aayakar Bhavan, Dabagardens, Visakhapatnam, R/o. Door No. 36-92-242/236, Neelakantha Nagaram, Kailasapuram, Visakhapatnam, Visakhapatnam District.
31. G. Anjineyulu Naik, S/o. G. Bheema Naik, Aged about 44 Years, Occ: Casual Labour, O/o Principal Commissioner of Income Tax, Tirupati, I Floor, Aayakar Bhavan, K T Road, Tirupati, R/o. Door No. 510-5, Grand Manor Appartment, 5th Floor, Upadyaya Nagar, Tirupati., Chittor District.
32. C. Sudhakara Reddy, S/o. C. Ranga Reddy, Aged about 40 Years, Occ: Casual Labour, O/o Principal Commissioner of Income Tax, Tirupati, I Floor, Aayakar Bhavan, K T Road, Tirupati, R/o. Door No. 8-16/5, 6th Road, Srinagar, Tirupati , Chittor District
33. J. Gopal, S/o. J. Balakrishna, Aged about 38 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, Range -1, K T Road, Tirupati, R/o. Door No. 20-49-520-1424, Korlagunta, Maruthi Nagar, Tirupati , Chittor District - 517501.
34. A. Ramarao, S/o. A. Narasaiah, Aged about 39 Years, Occ: Casual Labour, O/o Joint Commissioner of Income Tax, Ongole Range, Roshan Plaza, Ram Nagar 8th Line, Ongole, Prakasam District, R/o. Door No. 25-038-810, Bathulavari Kunta, Balaji Nagar, Ongole, Prakasam District - 523001.
35. U. Babu Rao, S/o U. Dasamma, Aged about 46 Years, Occ: Casual Labour, O/o Chief Commissioner of Income Tax, 3rd Floor, Aayakar Bhavan, Dabagardens, Visakhapatnam, R/o. Door No. 32-8-193, Lakshmi Devi Peta, Near Saibaba Gudi, Atchiyyammapeta, Vishakapatnam, Vishakapatnam District 530037.

36. M. Viswanadham, S/o M. Sominaidu, Aged about 40 Years, Occ: Casual Labour, O/o Chief Commissioner of Income Tax, 3rd Floor, Aayakar Bhavan, Dabagardens, Visakhapatnam, R/o. Door No. 2-5-246, Appughar, N T R M V P Colony, sector 9, Visakhapatnam, Vishakapatnam District ó 530017.
37. P. Rajasekhar S/o. P. Narayana, Aged about 38 Years, Occ: Casual Labour, O/o Principal Commissioner of Income Tax, Tirupati, I Floor, Aayakar Bhavan, K T Road, Tirupati, R/o. Door No. 4-8-31, Bommagunta, Opp : Ramchandra Pushkerani, Tirupati, Chittoor District.
38. R. Rajasekhar, S/o. R. Bangaraiah, Aged about 42 Years, Occ: Casual Labour, O/o Assistant Director of Income Tax (Inv), Unit-IV(4), K T Road, Tirupati, R/o. Door No. 4-4-565, Nehru Nagar, Tirupati, Chittoor District.
39. Dara Venkata Ramana Kumar, S/o. D. Rangarao, Aged about 38 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, Range óII, K T Road, Tirupati, R/o. Door No. 18-1-26, Dwaraka Nagar, K. T. Road, Tirupati, Chittoor District.
40. G. Srinivas Rao, S/o. G. Basava Punnaiah, Aged about 36 Years, Occ: Casual Labour, O/o Principal Commissioner of Income Tax ó 2, Kondapur R R District, Hyderabad, R/o. H. No 3-45, Peravalipalem, Guntur, Guntur District ó 522261.
41. M. Devanand, S/o. M. Doraswamy, Aged about 45 Years, Occ: Casual Labour, O/o Principal Commissioner of Income Tax, Tirupati, I Floor, Aayakar Bhavan, K T Road, Tirupati, R/o. Door No. 4-5-1218/rc2, Giripuram, Tirupati, Andhra Pradesh ó 517501.
42. Begari Ramulu, S/o B. Shivappa, Aged about 37 Years, Occ: Casual Labour, O/o Chief Commissioner of Income Tax ó 1, Income Tax Towers, A. C. Guards, Hyderabad, R/o. Plot No. 19/5, N. F. V Colony, Ambedkar Nagar, Opp. Noble High School, Balaji Nagar, Medchal District - 500087.
43. D. Sivapal, S/o. D. Sivaiah, Aged about 41 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, Kadapa Range, Aayakar Bhavan, Nagarajupeta, Kadapa, R/o. Door No. 45/242, Balaji Nagar, Ravindrnagar Post, Kadapa, Kadapa District ó 516003.
44. B. Lukas, S/o. B. John, Aged about 49 Years, Occ: Casual Labour, O/o Comissioner of Income Tax (Appeals)-10, Aayakar Bhavan, 2nd Floor, Annex, Basheerbagh, Hyderabad, R/o. H. No 6-1-521/F, B J R Nagar, Khairtabad, Hyderabad ó 500004.

45. Md. Abid Ali, S/o. Md Yousuf Ali, Aged about 40 Years, Occ: Casual Labour, O/o Income Tax Officer, Ward -1, Opp : New Bus Stand, Veerabadra Nagar, Sangareddy District, R/o. H.No. 3-3-29/a/1, Fathekahan darga, Sangareddy, Medak District 502001.
46. D. Amarnath, S/o D. Gangadhar, Aged about 42 Years, Occ: Casual Labour, O/o Principal Commissioner of Income Tax, AP & TS, Welfare Section, 10th Floor, D Block, I.T Towers, A. C. Guards, Hyderabad, R/o. H.No. 3-3-583, Khutbiguda, Koti, Hyderabad -500027.
47. P. Ratanlal, S/o. P. Rampal, Aged about 40 Years, Occ: Casual Labour, O/o The Additional Commissioner of Income Tax, Aayakar Bhavan, Rajeev Gung, Khammam, R/o. H.No. 7-3-451/A, Vijay Nagar Colony -1, Khanapuram Haveli (Rural), Khammam District - 507002.
48. P. Koteswara Rao, S/o Singaiah, Aged about 38 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, (Transfer Pricing), 5th Floor, Aayakar Bhawan, Basheerbagh, Hyderabad, R/o. Plot No 6 70 & 80, Mamatha Nagar Colony, Nagol, Ranga Reddy 6 500068
49. B. Srinivasa Rao, S/o. Ram Mohan Rao, Aged about 43 Years, Occ: Casual Labour, O/o Income Tax Office, Ward - 1, Parasupet, Machilipatnam, Krishna District, Andhra Pradesh, R/o. Door No. 20-152-2, Ravindra Towers, Flat No 6 302, Kobbarithota, Chilakalapudi Post, Machilipatnam, Krishna District 6 521002.
50. J. Kedarnath, S/o Late Hanumanth Rao, Aged about 40 Years, Occ: Casual Labour, O/o Principal Commissioner of Income Tax - 1, 7th Floor, A Block, Income Tax Towers, A. C. Guards, Hyderabad, R/o. H.No. 4-6-97/2/1/1, Rambagh, Attapur, Hyderabad-500048.
51. K. Arvind Kumar, S/o. K. Srihari, Aged about 40 Years, Occ: Casual Labour, O/o Additional Commissioner of Income Tax, Range 6, A C Gards, Hyderabad, R/o. 13-6-954, Banjawadi, Karwan sahu, Hyderabad.
52. P. G. Hari Prasad, S/o. P. Gopal, Aged about 44 Years, Occ: Casual Labour, O/o Principal Commissioner of Income Tax, Tirupati, I Floor, Aayakar Bhavan, K T Road, Tirupati, R/o. Door No 6-13-31/A, Ambedkar Colony, Tirupati (U), Tirupati, Chittoor District.

1 APPLICANTS

AND

1. The Union of India Represented by The Principal Chief Commissioner of Income Tax, Cadre Controlling Authority Andhra Pradesh & Telangana, Income Tax Department Government of India, Ministry of Finance, Department of Revenue, 10th Floor, C 6 Block, I.T Towers, A C Guards, Hyderabad.
2. The Chief Commissioner of Income Tax, Hyderabad, 9th Floor, I.T Towers, A C Guards, Hyderabad.
3. The Chief Commissioner of Income Tax, Vijayawada, S V R Plaza, 3rd Floor, Near Hotel Sree Square, Moghalrajpuram, Tikkle Road, 1st Line, Vijayawada, Andhra Pradesh.
4. The Chief Commissioner of Income Tax, Vishakapatnam, Dhaba Gardens, Aayakar Bhavan, Vishakapatnam.

... Respondents

Counsel for the applicants : Mr. A.V.V.S Bhujanga Rao
Counsel for the respondents : Mrs. K. Rajitha, Sr. CGSC

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 Mr. AVVS Bhujanga Rao, learned counsel appearing for the applicant and Mrs. K. Rajitha, learned Senior Standing Counsel appearing for the respondents.

2. The applicants are working as Casual Workers in various offices of the Income Tax Department. They have been engaged for several years in anticipation of regularisation, particulars of which are mentioned in Annexure-I to the OA. Similarly situated employees in Central Excise

Department approached this Tribunal by filing OAs; 312, 313, 322 of 2015 before Central Administrative Tribunal, Bangalore Bench and O.A.No.97/2009 before Central Administrative Tribunal, Hyderabad Bench. The Tribunal allowed the OAs and the applicants therein were granted Temporary Status. Therefore, the applicants claim that they are fully eligible for grant of Temporary Status on completion of 240 days of service from the date of their initial engagement. The applicants also submitted that recently, the Hon^{ble} High Court of Hyderabad disposed of W.P.No.27176 of 2012 and batch, vide order dated 29.12.2018, directing the department to grant Temporary Status to the petitioners therein. The applicants submitted representations dated 12.12.2017 and 21.06.2018 in response to which, the Department stated that as the applicants are not one of the parties to the OAs, they cannot be extended the benefit of temporary status under the Order No.95/1999-2000/PERSONNEL dated 28.12.1999.

3. We are of the view that merely because the applicants did not approach the Tribunal, they cannot be denied the benefit of conferring temporary status on par with their juniors. In spite of the Tribunal passing an order that the same relief has to be granted to the similarly situated persons, the department is driving the employees to Court to seek the relief though the matter is settled. Therefore, the respondents are directed to grant the relief without subjecting the employees to approach the Tribunal again and again. In this context, we are inclined to observe that in similar matters, the Hon^{ble} Apex Court also expressed the opinion that when a matter has reached finality, the employees shall not be subjected to approach the Courts again and again. The respondents are, therefore, directed to consider and dispose of the representations dated 12.12.2017 and 21.06.2018 submitted by the

applicants and confer the same benefit which was conferred on the candidates mentioned in the Order No.95/1999-2000/PERSONNEL dated 28.12.1999, within a period of eight weeks from the date of receipt of this order.

4. The OA is accordingly disposed of at the admission stage. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (A)

(JUSTICE R. KANTHA RAO)
MEMBER (J)

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