

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

O.A/21/00077/2019

Date of order : 25.01.2019

Between:

M. PUSHPA,
W/o Late Ramalu,
Aged about 50 years,
Occupation: Contingent Worker in O/o
Assistant Commissioner of Customs & Central GST,
Begum Bazar Division, Nampally,
Hyderabad.

APPLICANT

A N D

1. The Union of India represented by Chief Commissioner of Central GST, L.B.Stadium Road, Basheerbagh, Hyderabad.
2. The Principal Commissioner of Central GST, Hyderabad Commissionerate, L.B.Stadium Road, Basheerbagh, Hyderabad.

Respondents

Counsel for the applicant : Mr.M.V.KRISHNA MOHAN

Counsel for the respondents : Mr.B.SIVA SANKAR,
Addl.CGSC

CORAM:

THE HON'BLE MR. JUSTICE R KANTHA RAO MEMBER (J)

THE HON'BLE MR. B V SUDHAKAR, MEMBER (A)

ORAL ORDER

(PER HON'BLE MR. JUSTICE R KANTHA RAO, MEMBER (J)

Heard Mr. M.V.Krishna Mohan, learned counsel appearing for the applicant and Mr. B.Siva Sankar, learned Additional Standing Counsel for the respondents.

2. The applicant is working as Contingent Casual Worker in the office of Assistant Commissioner of Customs & Central GST, Begum Bazar Division, Nampally, Hyderabad. She has been engaged for cleaning, sweeping, gardening and watering works in the office. She completed 25 years of service in the Department as Contingent Casual Worker in anticipation of regularization. Similarly situated employees who are juniors to the applicant approached this Tribunal by filing OAs 312, 313, 322 of 2015 before Central Administrative Tribunal, Bangalore Bench. The Tribunal allowed the OAs and they were granted Temporary Status. Therefore, the applicant claims that she is fully eligible for grant of Temporary Status on completion of 240 days of service from the date of her initial engagement. She also states that she is covered by the order in OA 312, 313 to 322 of 2015 and OA 907-912 of 2015 of Central Administrative Tribunal, Bangalore Bench wherein her juniors were granted Temporary Status. Some of her juniors were engaged during 2001 to 2003. She 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 applicant submitted representation dated 07.01.2019 in response to which, the Department stated that as the applicant is not one of the parties to the OAs, she cannot be extended the benefit of temporary status under the Establishment Order (N.G.O.) No.16/2019, dated 17.1.2019.

3. We are of the view that merely because the applicant did not approach the Tribunal, she cannot be denied the benefit of conferring temporary status on par with her juniors. The respondents are, therefore, directed to consider and dispose of the representation dated 07.01.2019 submitted by the applicant

and confer the same benefit which was conferred on the candidates mentioned in the Establishment Order dated 17.01.2019, 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)

vsn