

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No.290/00263/2019

Jodhpur, this the 17th October, 2019

CORAM

Hon'ble Smt Hina P. Shah, Judicial Member

Hon'ble Ms Archana Nigam, Administrative Member

1. Vishram Bairwa S/o Sh. Ram Sahai Bairwa, aged about 35 years, at present employed on the post of Casual Labour (MTS) in the office of the ACIT, Circle, Bhilwara.
2. Abdul Kadir S/o Sh. Abdul Muqeem Quazi, aged about 31 years, at present employed on the post of Casual Data Entry Operator (MTS) in the office of the JCIT, Range, Bhilwara.
3. Ratan Lal Sen son of Sh. Gopal Lal Sen, aged about 40 years, presently employed as Casual Data Entry Operator (MTS) in the office of the ACIT, Circle, Bhilwara.
4. Pushpkant Sharma son of Sh. Nanu Ram Sharma, aged about 39 years, at present employed as Casual Data Entry Operator (MTS), office of the ITO, Ward-3, Bhilwara.
5. Bajrangi Yadav son of Shri Ram Dod Yadav, aged about 35 years, at present employed as Casual/Labour (MTS) office of the ACIT, Circle, Bhilwara.
6. Mahendra Singh Rathore son of Sh. Raghuveer Singh Rathore, aged about 32 years, at present employed as Casual Labour (MTS) in the office of Income Tax Office, Bhilwara.
7. Vishal Kumar Modi son of Sh. Jhamak Lal Modi, aged about 36 years, at present employed as Casual Labour (MTS) in the office of Income Tax Office, Bhilwara.
8. Bharat Kumar Modi son of Mohan Lal Modi, aged about 36 years, at present employed as Casual Labour (MTS) in the office of Income Tax Office, Bhilwara.
9. Jitendra Singh Rajput son of Ratan Singh Rajput, aged about 41 years, at present employed as Casual Labour (MTS) in the office of Income Tax Office, Bhilwara.

10. Vinod Kumar Vyas S/o Shri Gopi Lal Vyas, aged about 29 years, at present employed as Casual DEO (MTS) in the office of ITO Rajsamand under Pr. CIT, Udaipur.
11. Devendra Kumar Purbia S/o Shri Chandra Purbia, aged about 31 years, at present employed as Casual DEO (MTS), in the office of ITO, Rajsamand under Pr. CIT, Udaipur.

.....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, Aaykar Bhawan, Sub City Center, Savina, Udaipur-313001.

.....Respondents

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. Mishra, 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. Learned counsel for the applicant further submits that in similar bunch of Original Applications which came up for hearing before this Tribunal on 27.09.2019 and 10.10.2019, this Tribunal had already passed such orders. He, therefore, prays that similar orders may be passed in the present OA also at the admission stage.

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 taking any decision on such representation.

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

[Archana Nigam]
Administrative Member

[Hina P. Shah]
Judicial Member

Ss/-