

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA No. 437/2022

HYDERABAD, this the 12th day of August, 2022



Hon'ble Mr. Ashish Kalia, Judl. Member

Shaik Abdul Khadar, S/o. Mahaboob Doula,
Aged about 46 years, Occ: Working as Contingent, Gr.C,
O/o. Directorate of Revenue Intelligence,
Zonal Unit, Suryavanshi Residency, Shanthinagar,
Masab Tank, Hyderabad.
R/o. H.No.20-2-116/A, Ganesh Nagar Colony,
Uppal, Hyderabad- 39.

... Applicant.

(By Advocate: Mrs. G Manjula)

Vs.

1. The Union of India,
Rep. by the Principal Director General,
Directorate of Revenue Intelligence,
'D' Block, 7th Floor, I.P. Bhawan,
I.P. Estate, New Delhi- 110 002.
2. The Additional Director General,
Directorate of Revenue Intelligence, Zonal Unit,
Suryavanshi Residency, Cross Road,
Shanthinagar, Masab Tank,
Hyderabad- 500 028.

... Respondents.

(By Advocate: Mrs. B Gayatri Varma, Sr.CGSC)

ORAL ORDER
(As per Hon'ble Mr. Ashish Kalia, Judl. Member)

Through Video Conferencing:

This Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:



“That this Hon'ble Tribunal may be pleased to declare the action on the part of the respondents in not regularizing the services of the applicant as arbitrary, illegal and unjust. Consequently, direct the respondents to regularize the service of the applicant in pursuance of the DoPT instructions vide F.No.49019/1/2006/Estt.(C) Dt. 11.12.2006 and as per the orders of Uma Devi case, from the date the applicant became eligible and accordingly pay him all arrears of salary and other consequential benefits and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice.”

2. The brief facts of the case are that the applicant was initially engaged as Casual Worker in March 2000 by the respondents. It is submitted that the applicant is continuously working on casual basis against a sanctioned vacancy which was clarified in Letter dt. 22.02.2008. Earlier, the applicant has filed OA/821/2012 before this Tribunal for grant of Temporary Status and, this Tribunal, vide Order dt. 25.02.2014, disposed of the OA directing the respondents to grant temporary status. The respondents in the OA have challenged the Tribunal's Order dt. 25.02.2014 before the Hon'ble High Court by filing Writ Petition No.3209 of 2017. The Hon'ble High Court, vide Order dt. 28.11.2018, dismissed the writ petition along with batch as under:

“We leave it open to the respondents in these writ petitions to make suitable representations to the authorities concerned citing as to how they would come within one of the aforesaid three

categories and how they would be entitled to conferment of temporary status. The authorities shall thereupon take appropriate action as directed by the Tribunal..

Interim orders granted in these cases shall stand vacated. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.”

In pursuance of the orders of the Hon’ble High Court, the applicant has made several representations to the respondents on 31.12.2018, 24.10.2019, 17.02.2020 and 12.05.2022 to grant temporary status and regularisation which are stated to have been pending. Aggrieved over the same, the applicant has approached this Tribunal for redressal of his grievances.



3. Mrs. B Gayatri Varma, learned counsel appeared for the respondents.

4. After hearing counsel for the parties, the respondents are directed to consider and dispose of the pending representation of the applicant dt. 12.05.2022 by passing speaking orders and communicate the same to the applicant. This exercise shall be completed within a period of four weeks from the date of receipt of certified copy of this order. The applicant is at liberty to re-approach this Tribunal, if his grievance still subsists. The OA is disposed of as above. There shall be no order as to costs.

(ASHISH KALIA)
JUDICIAL MEMBER

/Ram./