

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION NO.9719 OF 2013

ORDER

(Per Hon'ble Sri Justice Sanjay Kumar)

The Union of India and its officials in the Customs and Central Excise Department filed this writ petition aggrieved by the order dated 26.07.2012 passed by the Central Administrative Tribunal, Hyderabad Bench, Hyderabad (*hereinafter*, 'the Tribunal'), in O.A.No.613 of 2011. The said O.A. was filed by respondents 1 to 3 herein assailing the action of the authorities in not granting them temporary status and regularising their services thereafter. By the order under challenge, the Tribunal disposed of the O.A. with a direction to the authorities to confer temporary status upon respondents 1 to 3/applicants from the date they became eligible for such grant of temporary status.

By order dated 02.04.2013, this Court granted interim suspension of the order under challenge. W.V.M.P.No.3472 of 2013 was filed by respondents 1 to 3/applicants to vacate the aforestated order.

We are at a loss to understand as to why the Union of India and its officials chose to file this writ petition when the Tribunal did not even decide any issue on merits. All that the Tribunal directed was that respondents 1 to 3/applicants should be granted temporary status as and when they became eligible to seek such status. It appears that writ petitions are filed against the orders of the Tribunal unmindful of the import and consequences thereof. When the authorities themselves have put in place a system whereby temporary status would be granted to the employee concerned upon his fulfilling certain conditions, they can have no grievance with regard

to the direction to grant such status upon compliance with those requirements.

The writ petition is therefore utterly misconceived and is accordingly dismissed. Interim order dated 02.04.2013 shall stand vacated. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

M. GANGA RAO, J

12th SEPTEMBER, 2018

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