

Central Administrative Tribunal Jammu Bench, Jammu

Hearing through video conferencing

O.A. No.45/2020

Wednesday, this the 17th day of June, 2020

Hon'ble Dr. Bhagwan Sahai, Member (A)
Hon'ble Mr. Rakesh Sagar Jain, Member (J)

1. Mukhtar Ahmad Mir, Age 42 Years
S/O Noor Mohamad, R/o Rangil Ganderbal.
2. Fayaz Ahmad Najar , Age 49 Years
S/O Ghulam Mohammad , R/O Qutub-U-din pora Aali kadal sgr.
3. Shaheen Ishrat , Age 50 Years
D/O Ghulam Mohd Rather, R/o Aali kadal Nowgam sgr
4. Adil Bashir , Age 33 Years
S/o Bashir Ahmad Rather, R/O Kangan Ganderbal
5. Imran Rashid , Age 36 Years
S/O Ab Rashid Lone, R/O PANizin Kangan
6. Firdous Ahmad Najar, Age 32 Years
S/O Abdul Majeed, R/o Safapora
7. Ghulam Mohi u din Mir, Age 45 Years
S/o Abdul khaliq Mir,R/o Shadipora,Bandipora.
8. Farooq Ahmad Dar, Age 32 Years
S/o Shamus-u- Din Dar,R/o Baba Daryadin Ganderbal.
9. Rahil Nazir , Age 28 Years
S/O Nazir Ahmad Dar, R/o Baba Daryadin Gbl
10. Farooq Ahmad Mir , Age 42 Years
S/o Mukhtar Ahmad Mir,R/o Nunner Ganderbal
11. Muzaffar Akber Mir, Age 32 Years
S/o Mohammad Akber,R/o Kwrahama Tangmarg
12. Abdul Rashid Kumar , Age 33 Years
S/o Ali Mohd ,R/o Panzin Kangan

13. Adil Ahmad Dar , Age 30 Years
S/o Ghulam Qadir Dar, R/O Cheerwan , Ganderbal
14. Ghulam Rasool Shah , , Age 31 Years
S/O Mohd Sultan Shah , R/O Yanihama Lar Gbl
15. Firdous Ahmad Dar , Age 34 Years
S/O Ghulam Mohi u din Dar, R/O Lar Ganderbal
16. Tariq Ahmad Kambay, Age 33 Years
S/o Ghulam Nabi Kambay, R/O Rangil Ganderbal.
17. Imtiyaz Ahmad Rather , Age 30 Years
S/o Manzoor Ahmad Rather, R/O Najwan Kgn
18. Mudasir Nazir Mir , Age 32 Years
S/o Nazir Ahmad Mir, R/o Ganderbal,
19. Farooq Ahmad Kumar , Age 35 Years
S/o Mohd ramzan Kumar, R/O Safapora, Ganderbal.
20. Javid Ahmad Raina , Age 29 Years
s/o Abdul Rahim Raina, R/O Wangath Kangan
21. Ghulam Hassan Sheikh , Age 36 Years
s/o Habib Ullah Sheikh, R/o Repora Lar
22. Khalida Majeed , Age 32 Years
D/o Abdul Majeed Mir, R/o Kijpora Kangan
23. Arif Ahmad Ganie, Age 30 Years
S/o Sanaullah Ganie , R/O tullamulla Gbl
24. Sajad Ahmad Sheikh, Age 31 Years
S/o Abdul Aziz Sheikh, R/O Akhal Kangan.
25. Amir Altaf Wani , Age 30 Years
S/O Altaf wani, R/O Prang Kangan.
26. Mushtaq Ahmad Kuchay, Age 27 Years
S/o Manzoor Ahmad , R/o Mansbal, Ganderbal.
27. Manzoor Ahmad Kalas , Age 29 Years
S/o Lateef Ahmad Kalas, R/o Naranag Ganderbal.
28. Mir Nasrullah , Age 34 Years
S/o Ghulam Mohi u Din Mir, R/o Burnbug Kangan.
29. Mohd Younis Rather , Age 29 Years
S/o Abdul Rashid Rather , R/O Nila Najwan Kangan .

30. Rameez Raja , Age 32 Years
S/O Mushtaq Ahmad teeli ,R/o Panzin Kangan.
31. Imtiyaz Ahmad Mir , Age 33 Years
S/o Ghulam Nabi Mir,R/O Kijpora Kangan.
32. Farooq Ahama Rather, Age 32 Years
S/o Ghulam Mohi U Din Rather,R/O Kangan
33. Tanveer Ahnmad Mir , Age 45 Years
S/O Mohd Sadiq Mir,R/O Sadar Bagh Arech, Ganderbal.
34. Ajaz Ahmad Mir , Age 40 Years
S/O Mohd Yousuf Mir ,R/o Banibagh Cheerwan Kangan.
35. Showkat Ahmad Poswal , Age 26 Years
S/O Ghulam Rubani Poswal,R/O Hariganiwan Kangan.
36. Zubair Ahmad Kasana , Age 39 Years
S/o Ghulam Nabi Kasana ,R/O Sumbal Bala kgn
37. Freed Ahmad Tedwa , Age 29 Years
S/o Mehindi Rehman,R/o Kachnambal uder Kangan.
38. Muneer Hussian Chowhan , Age 29 Years
S/o Mohd Ismail Chowhan,R/o Baranbugh Kangan
39. Mohd Yousuf Wagay , Age 35 Years
S/o Abdul Ahad Wagay ,R/o Margund Kangan.
40. Mushtaq Ahmad Mir , Age 38 Years
S/O Ghulam Mohd Mir,R/o Kangan
41. Mohd Maqbool Ganie , Age 45 Years
S/O Ghulam Ahmad Ganie, R/O Barwulah Kangan.
42. Mohd Maqbool Rather, Age 58 Years
S/o Mohd Ramzan,R/o Kangan
43. Bashir Ahmad Shah , Age 38 Years
S/O Abdul Khaliq ,R/o Khranihama Lar Ganderbal.
44. Firdous Ahmad Dar, Age 32 Years
S/o Ghulam Mohi-U-Din Dar,R/O Lar Ganderbal.
45. Nazir Ahmad Bohru , Age 42 Years
S/o Ghulam Ahmad ,R/O Nadihal Bandipora.

..Applicants

(Mr. Lone Altaf, Advocate)

Versus

1. GOVERNMENT OF J&K

THROUGH COMMISSIONER CUM SECRETARY TO GOVERNMENT,
POWER DEVELOPMENT DEPARTMENT CIVIL SECRETARIAT
SRINAGAR/JAMMU.

**2. Managing Director, J&K Power Development Corporation,
Srinagar/Jammu**

3. EXECUTIVE DIRECTOR (E), JKPDC, SRINAGAR.

4. CHIEF ENGINEER, GENERATION WING, PDC, SRINAGAR.

5. SUPERINTENDING ENGINEER, GENERATION CIRCLE II PDC, SRINAGAR.

6. EXECUTIVE ENGINEER GENERATION DIVISION USHP-II KANAGN.

..Respondents

(Mr. Amit Gupta, Additional Advocate General)

O R D E R (ORAL)

Dr. Bhagwan Sahai, Member (A):

Mr. Mukhtar Ahmad Mir and 44 other applicants have filed this O.A. on 15.06.2020. They seek setting aside of letter dated 29.05.2020 (paragraph 2) for requisitioning fresh cash for payment of wages to only 40 need based casual labourers working in the respondent-department, which did not include all the applicants herein. They further seek direction to the respondents to pay all the outstanding due wages to the applicants continuously without any delay.

2. The applicants have brought to our notice their representation through legal notice dated 08.06.2020 submitted to Superintending Engineer, Generation Circle III, PDC Bemina requesting for requisitioning higher salary / wages

to all the casual labourers, including them, till all the casual labourers are being verified. This representation / legal notice of the applicants has still not been decided by the respondents.

3. We have heard Mr. Lone Altaf, applicants' counsel and Mr. Amit Gupta, AAG for respondents today.

4. After considering the averments of the applicants in the O.A. and rival submissions of the respective counsels, we think it appropriate to dispose of this O.A. at this stage with a direction to the respondents to consider and decide the pending representation / legal notice of 45 applicants dated 08.06.2020 for making of payment of wages due to them. The respondents should decide this representation / legal notice by passing a well-reasoned and speaking order within seven days from the date of receipt of a copy of this order and communicate it to the applicants within one week thereafter.

5. The O.A. is accordingly disposed of. No costs.

(Rakesh Sagar Jain)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

June 17, 2020
/sunil/