

# **CENTRAL ADMINISTRATIVE TRIBUNAL JAMMU BENCH, JAMMU**



Hearing through video conferencing

**O.A./62/00324/2021**

This the 25<sup>th</sup> day of February, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)**  
**HON'BLE MR. ANAND MATHUR, MEMBER (A)**

1. Bashir Ahmad Rather, age 78 Years, S/o Sonaullah Rather, R/o Delina, Tehsil and District Baramulla.
2. Ghulam Rasool Rather, age 76 years, S/o Ghulam Hassan Rather, R/o Athoora, Tehsil and District Baramulla.

.....Applicants

(Advocate: Mr. Sameer Hassan Dar)

## **Versus**

1. Union Territory of Jammu and Kashmir through Commissioner/Secretary to Government, Rural Development Department and Panchayati Raj, Civil Secretariat, Jammu/Srinagar. 180001.
2. Director, Rural Development Department, Kashmir, Srinagar. 190001.
3. Assistant Commissioner Development, Baramulla. 193101.
4. Project Officer, DRDA Baramulla. 193101

.....Respondents

(Advocate:- Mr. Amit Gupta, A.A.G.)

## **ORDER [ORAL]**

**Hon'ble Mr. Anand Mathur, Member (A):**

Heard.

Learned counsel for the applicants submits that the applicants are aggrieved of the inaction on the part of the respondents to accord consideration of the claim of the applicant for their pensionary benefits

with the analogy of the other employees working in the same department and in the guidelines issued by the Central Government in the year 01.04.1999 in which no person would be directly employed in the District Development Agency and all the persons who had been employed therein prior to 01.04.1999 should be absorbed in one or other line departments of the respective state governments.

2. During the course of arguments, learned counsel for the applicants submits that the applicants would be satisfied if a direction be given to the respondents to consider the case of the applicants in accordance with law and rules governing the same in light of submissions made in the present OA.

3. In view of limited prayer sought by the applicants, we deem it appropriate to dispose of this OA with a direction to the respondents to consider and decide the case of the applicants in accordance with law and while doing so, respondents shall take into consideration the contents of the present O.A. Needless to say that the respondents shall consider and decide the case of the applicant in accordance with law and rules governing the same and communicate the decision to the applicants with a reasoned speaking order, within two months from the date of receipt of a certified copy of this order.

4. In terms of above directions, OA is disposed of. We make it clear that while disposing of the present OA, we have not expressed any opinion on the merits of the case.

**(ANAND MATHUR)**  
**MEMBER (A)**

ss/-

**(RAKESH SAGAR JAIN)**  
**MEMBER (J)**