

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 062/2015/2020

This the 14th day of October, 2020



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

1. Mohammad Iqbal Khanday, S/o Abdul Qayoom Khandey R/o Pattan.
2. Shafqat Ahmad Allaie, S/o Gulam Mohammad Allaie R/o Pattan.
3. Tasaduk Yaseen Matoo S/o Mohammad Yaseen Mattoo R/o Charari Sharief.
4. Bashir Ahmad Dar S/o Abdul Khaliq Dar R/o Ratsoona Beerwah.
5. Tahira Mohi-ud-Din S/o Ghulam Mohidin R/o Handwara.
6. Abdul Rashid Khan S/o Mohammad Akbar Khan R/o Dodinar Tehsil Budgam.
7. Urfan Mohi-ud-din D/o Ghulam Mohiud –Din Bhat R/o Parran.
8. Hilal Ahmad Bhat S/o Mohammad Assadullah Bhat R/o Pattan.
9. Rehala Manzoor D/o Manzoor Ahmad Kallo R/o Pattan.
10. Naseer Ahmad Lone, S/o Gh. Rasool Lone R/o Sumbal.
11. Ulfat Maqsood D/o Mohammad Maqbool Mia R/o Pattan.
12. Sameer Ahmad Dar, S/o Ghulam Ahmad Dar R/o Hakbara Sonawari.
13. Mohammad Ayoub Paul, S/o Abdul Hamid Paul R/o Tankipora Srinagar.

.....Applicants

(Advocate: Mr. Bhat Fayaz Ahmad)

Versus

1. State of J & K through Director Local Bodies, Kashmir, Srinagar.
2. Presidents Municipal Committee, Pattan.
3. Executive Officers, Municipal Committee Pattan.

.....Respondents

(Advocate: Mr. Raghu Mehta)

ORDER

[O R A L]

Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member (J): -



1. Applicants in the present T.A. seek direction to the respondents to regularize their services in the department and also to release the legitimately earned wages of the applicants.

2. We have heard Mr. Bhat Fayaz Ahmad, learned counsel for the applicants and Mr. Raghu Mehta, learned counsel for the respondents and perused the record.

3. The prayer in the TA is to direct the respondents to regularize their services of the applicants. We find it difficult to accede such a request. As a matter of fact the Hon'ble Supreme Court deprecated the practice of issuing such direction. At the same time, if there exist any policy in the Government as regards dealing with the employees of this nature, the case of the applicants also need to be considered in accordance with rules. Beyond that, we cannot issue any direction.

4. We, therefore, dispose of the TA directing the respondents to consider the cases of the applicants, in terms of the existing policy regarding



continuance of the person appointed or engaged on contractual or daily wage basis as also release the legitimately earned wages, if permissible under the rules, within a period of three weeks from the date of receipt of a certified copy of this order. It is made clear that we have not expressed any opinion on the merits of the case. There shall be no order as to costs.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

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