



Central Administrative Tribunal Jammu Bench, Jammu

Hearing through video conferencing

O.A. No.62/84/2020

Monday, this the 13th day of July, 2020

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

Suhail Abdullah, Age 32 years
S/o Shri Mohd. Abdullah Dar,
R/o Pinglish Tral, Distt. Pulwama J&K ...Applicant

(Through Mr. A.R. Trali, Advocate)

Versus

1. Union Territory of Jammu and Kashmir
Through Commissioner Cum Secretary to Government,
Power Development Department,
Civil Secretariat, Srinagar / Jammu
2. Chief Engineer, EM & RE Wing, Kashmir Srinagar
Jammu Power Distribution Corporation Ltd., Jammu
3. Superintending Engineer, EM&RE Circle Pulwama
Kashmir
4. Executive Engineer, Electric M&RE Division, Pulwama
5. Assistant Executive Engineer, Electric Sub Division,
Pulwama ...Respondents

(Through Mr. Amit Gupta, Additional Advocate General)

O R D E R (ORAL)

Dr. Bhagwan Sahai, Member (A):

Heard Shri A.R. Trali, learned counsel for the applicant
and Shri Amit Gupta, AAG on behalf of respondents.

2. Suhail Abdullah son of Shri Mohd. Abdullah resident of Pinglish Tral, District Pulwama has filed this OA on 21.06.2020 seeking direction to respondent no.4 i.e. Executive Engineer Electric M&RE Division Pulwama to pay him wages on regular basis and to release wages to him withheld since August 2018. He also seeks direction to respondents 3 to 5 for not doing away with his service and to continue him in service along with consideration for regularization as has been done in case of similarly placed labourers.

3. In the OA and during arguments of his counsel, it has been submitted by the applicant that he was appointed in the year 2009 as need based worker/ casual labour but his name has not been incorporated by the respondents in the list of need based workers in spite of his having worked regularly. The applicant seems to have addressed communication to respondents 4 and 3 to get his grievance redressed. However, he claims that his grievance has not been redressed. In this regard, he has enclosed along with OA copies of certain communications with the Executive Engineer, ED Pulwama and the Superintending Engineer, EM&RE Circle, Pulwama about examination of his case for regularization of casual/ seasonal labourers. The letter of Executive Engineer dated 20.06.2017 mentions that the applicant's name was not included in the list sent with letter dated 04.05.2017, informing the Superintending

Engineer that the applicant's name has not been included in the list of need based casual workers by oversight.

4. In view of these details of the internal correspondence exchanged between Executive Engineer and Superintending Engineer, the applicant's counsel submits that the applicant would be satisfied if this OA is disposed of at this stage with direction to respondents to consider his case for inclusion in the list of casual labourers prepared by the respondents.

5. In view of the statement made, this OA is disposed of with direction to respondent no.4 i.e. Executive Engineer Electric M&RE Division Pulwama to consider the applicant's case in view of letters of Executive Engineer Electric M&RE Division Pulwama dated 04.05.2017 and 20.07.2017 for inclusion in the list of casual labourers for regularization and for payment of his pending wages, if any, within four weeks from the date of receipt of a copy of this order by passing a reasoned and speaking order. With this, OA stands disposed of. No costs.

(Rakesh Sagar Jain)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

/dkm/