

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

TA No. 062/2541/2020

This the 26th day of October, 2020

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

1. Ali Mohd Hajam, aged 40 Years, S/o Ab Rashid Hajam, R/o Mattan Tehsil and District Anantnag.
2. Deleted vide order dated 23.12.2015

.....Applicant

(Advocate: Mr. P.S. Ahmad)

Versus

1. State of J & K through Comm/Secy to Govt Housing and Urban Development Department, Jammu/Sgr.
2. Director Urban Local Bodies Kashmir Srinagar.
3. Dy Director Urban Local Bodies Kashmir.
4. President Municipal Committee Mattan Anantnag.
5. Executive Officer Municipal Committee Mattan.

.....Respondents

(Advocate: Mr. Sudesh Magotra)



ORDER
[O R A L]

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



The applicant state that he was working as casual labour in the sanitation wing of the Municipal Council Matton. He filed this TA with a prayer to restraining the respondents to regularize his services, in the post against which he was working.

2. We have heard Shri P.S. Ahmad, learned counsel for the applicant and Shri Sudesh Magotra, learned counsel for the respondents at the admission stage.

3. The prayer in the TA is to direct the respondents to regularize the services of the applicant. 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 exists any policy in the Government as regards dealing with the employees of this nature, the case of the applicant also need to be considered in accordance with that. Beyond that, we cannot issue any direction.



4. We, therefore, dispose of this TA directing the respondents to consider the cases of the applicant, in terms of the existing policy regarding continuance of the persons appointed or engaged as casual labours. Arrears of salary, if any, be disbursed if due under rule, provided that the applicant is on muster role of the respondents be provided to him. The result of such consideration shall be communicated to the applicant within a period of three months. There shall be no order as to costs.

5. It is made clear that we have not entered into the merits of the case.

(ANAND MATHUR)
MEMBER (A)
Piyush/-

(RAKESH SAGAR JAIN)
MEMBER (J)