

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/4063/2020

This the 11th day of November, 2020



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

1. Altaf Ahmad Parray (age 35 years), S/o Ab Rashid Parray R/o Hajin Sonawari.
2. Farooq Ahmad Dar (age 32 years) S/o Ab. Karim Dar R/o Gassi Mohalla Safakadal.
3. Imtiyaz Ahmad Parray (age 24 years) S/o Ab Rehman Parray R/o Hajin Sonawari.

.....Applicants

(Advocate: Ms. Shaima Mahboob)

Versus

1. State of Jammu and Kashmir through Commissioner/Secretary to Government, Housing and Urban Development Department, Civil Secretariat, Srinagar.
2. Director Urban Local Bodies, Kashmir at Srinagar.
3. Additional District Development Commissioner, Bandipora (Administrator Municipal Committee Bandipora).
4. Executive Officer, Municipal Committee, Hajan.

.....Respondents

(Advocate: Mr. Sudesh Magotra, DAG)

ORDER

[O R A L]



1. Applicants in the present T.A. seek direction to the respondents to regularize/confirm the services of the applicants in the department and also to release the due unpaid wages/salary of the applicants.

2. I have heard Ms. Shaima Mahboob, learned counsel for the applicants and Mr. Sudesh Magotra learned counsel for the respondents and perused the record.

3. The prayer in the TA is to direct the respondents to regularize/confirm the services of the applicants in the department and also to release the due unpaid wages/salary of the applicants. We find it difficult to accede to request for regularization of services of applicants. 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 needs to be considered in accordance with rules. Beyond that, I cannot issue any direction.



4. I, therefore, dispose of the TA directing the respondents to consider the case of the applicants, in terms of the existing policy regarding regularization. However, respondents are directed to release the unpaid wages, if due and permissible under rules, within a period of three weeks from the date of receipt of a certified copy of this order. It is made clear that I have not expressed any opinion on the merits of the case. There shall be no order as to costs.

(RAKESH SAGAR JAIN)
MEMBER (J)

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