

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/4328/2020

This the 21th day of December, 2020



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

1. Ab Gani Malik age 36 years S/o Mohammad Akbar malik R/o Malik Pora Hajin District Bandipora.

.....Applicants

(Advocate: Ms. Ishrat Yonous)

Versus

1. State of Jammu and Kashmir through Commissioner/Secretary to Government, Health and Medical Education Department, Civil Secretariat, Jammu/Srinagar
2. Director Health Services Kashmir
3. Chief Medical Officer, Bandipora.
4. Block Medical Officer, Hajin.

.....Respondents

(Advocate: Mr. Rajesh Thapa, 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 applicant with interest.

2. I have heard Ms. Ishrat, learned counsel for the applicant and Mr. Rajesh Thapa 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 applicant 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 applicant, 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 one month 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)

Mks