

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/4483/2020

This the 16th day of November, 2020

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)**

Raja Begum, W/o Mehraj-ud-din Lone, R/o Fateh Garh, Tehsil & District Baramulla, age about 40 years.

.....Applicant

(Advocate: Mr. Sajad Wani proxy to Mr. M.I Wani

Versus

1. State through Commissioner Secretary to School Education Civil Secretariat, Jammu/Srinagar.
2. Director School Education, Kashmir, Srinagar.
3. Chief Education Officer, Baramulla.
4. Zonal Education Officer, Fateh-Garh, Baramulla.

.....Respondents

(Advocate: Mr. Rajesh Thappa, DAG)



ORDER

[ORAL]

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



1. Applicant in the present T.A. seeks direction to the respondents to regularize the services of the applicant in the department and also to release the due unpaid wages/salary of the applicant.
2. We have heard Mr. Sajad Wani proxy to Mr. M.I Wani, learned counsel for the applicants and Mr. Rajesh Thappa, learned counsel for the respondents and perused the record.
3. The prayer in the TA is to direct the respondents to regularize the services of the applicant in the department and also to release the due unpaid wages/salary of the applicant. We find it difficult to accede to request for regularization of services of applicant. 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 applicant also needs 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 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 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.

(MOHD. JAMSHED)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

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