

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH JAMMU
(HEARING THROUGH VIDEO CONFERENCING)**

SI. No. 4

O.A. No. 62/1149/2020

Dated: 03.12.2020

**HON'BLE SMT. MANULA DAS, MEMBER (J)
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)**

Bilquees Rashid, Age 42 years
D/o Abdul Rashid
R/o Pulwama, Dist – Pulwama
Kashmir.

... Applicant

By Advocates: Ahmad Javid

-Versus-

1. Union Territory of Jammu and Kashmir
Through Commissioner/Secretary
To the Govt. Revenue Department
Civil Secretariat, Srinagar/Jammu.
2. Deputy Commissioner, Pulwama.

3. Tehsildar Pampore.

..... Respondents

By Advocates: Amit Gupta.

ORDER (ORAL)

MANJULA DAS, MEMBER (J)

This O.A. has been taken up through video conferencing.

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking for the following reliefs:-

"In the premises, it is, therefore, prayed that this Hon'ble Tribunal may kindly be pleased to issue direction upon non-applicants to regularize the services of the applicant.

Further, the non-applicants be directed to give the same treatment to the applicant as has been given to other similarly situated persons and consider the case of the applicant in light of Judgment dated 04/08/2011.

The non-applicants may also be directed to release the withheld wages of the applicant

and allow her to continue without any hitch or hindrance.

Any other relief which this Hon'ble Tribunal deems fit and proper in the attending circumstances of the case may also be passed in favour of the applicant."

3. It was submitted by Sri Ahmad Javid, learned counsel appearing for the applicant that applicant is still rendering her services under the respondent department. However, she has been neither released salary nor allowed to continue in the service. According to the learned counsel, at this stage, applicant will be satisfied if this court passes an order directing the applicant to make a comprehensive representation before the competent authority within a short time which will be considered and disposed of by the competent authority by passing a reasoned and speaking

order in reference to the order dated 04.08.2011 in
SWP No. 1631/2011.

4. On the other hand, Sri Amit Gupta, learned counsel representing the respondents submitted that he has no objection if the applicant wants to file comprehensive representation before the competent authority. However, he submitted that the cited case has time barred.

6. By accepting the prayer made by the learned counsel for the applicant and as suggested by the learned counsel for the respondents, without expressing any opinion on merit, we hereby direct the applicant to make a comprehensive representation before the appropriate authority within a period of fifteen

days from the date of receipt of this order. On receipt of such representation, the competent authority shall consider the case of the applicant and dispose of it and pass and reasoned and speaking order within a period of three months thereafter.

7. It is made clear that whatever decision to be passed by the competent authority shall be communicated to the applicant forthwith.

8. With the above directions, O.A. stands disposed of at the admission stage. No costs.

**(MOHD. JAMSHED)
MEMBER (A)**

**(SMT. MANJULA DAS)
MEMBER (J)**

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