

**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing



O.A. No.62/1243/2020

Wednesday, this the 16th day of December, 2020

Hon'ble Mr. Rakesh Sagar Jain, Member (J)
Hon'ble Mr. Anand Mathur, Member (A)

1. Ashiq Bashir Maqdoomi Age 33 years S/o Bashir Ahmad Maqdooi R/o Nathipora Sopore.
2. Gh. Hassan Hajam aged 32 years S/o Ghulam Mohammad Hajam
3. Mohammad Aslam aged 31 years S/o Ghulam Mohammad R/o Badambagh Sopore.
4. Mohammad Ashraf Dar aged 33 years S/o Ghulam Mohammad Dar R/o Badambagh Sopore
5. Bilal Ahmad Dar aged 32 S/o Ghulam Mohammad Dar R/o Kraltang Sopore.

.....Applicant

By Advocate: Mr. Gulzar Ahmad Bhat

Versus

1. Union Territory of Jammu and Kashmir through Commissioner/ Secretary to Jal Shakti I & FC, Civil Secretariat at Srinagar/Jammu Pin 180001
2. Chief Engineer I & FC Kashmir at Srinagar Pin 190001.
3. Superintendeing Engineer, Hydraulics Circle District Baramulla/BPR H.Q Sopore Pin193201
4. Executive Engineer I &FC Division Sopore Pin 193201.

.....Respondents

(By Advocate: Mr. Sudesh Magotra, D.A.G.

ORDER (ORAL)

Hon'ble Mr. Anand Mathur, Member (A)



The applicants filed this OA with a prayer to direct the respondents to regularize their services, in the posts against which they are working.

2. We heard Mr. Gulzar Ahmad Bhat, learned counsel for applicant and Mr. Sudesh Magotra, learned counsel for respondents at the state of admission.

3. The prayer in the OA is to direct the respondents to regularize the services of applicants. 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 applicants also need to be considered in accordance with that. Beyond that, we cannot issue any direction.

4. We, therefore, dispose of the OA directing the respondents to consider the case of the applicants, in terms of the existing policy regarding continuance of the persons appointed or engaged on contractual or daily wage basis. The result of such consideration shall be communicated to the applicants within a period of three months. There shall be no order as to costs.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Mks/-

