

**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

O.A. No.42/2020

Wednesday, this the 17th day of June, 2020

Hon'ble Dr. Bhagwan Sahai, Member (A)
Hon'ble Mr. Rakesh Sagar Jain, Member (J)

1. Mohd. Younis, age 45 years
s/o Ahmed Din
r/o Darhal Dodaj, Tehsil Darhal District Rajour
 2. Sajawar age 48 years, s/ Ahmed Din
r/o Darhal Dodaj, Tehsil Darhal District Rajour
 3. Mohd. Khurshid, age 41 years, s/o Mohd. Shafi
R/o Manyal, Tehsil Thana Mandi District Rajour
- ..Applicants
- (Mr. Sarafraz Hamid Rather, Advocate)

Versus

1. Union Territory of J & K through
Principal Secretary to Govt.,
Health, FW & Medical Education Department
Civil Secretariat, Jammu
 2. Director Health Services, Jammu
 3. Chief Medical Officer Rajouri
- ..Respondents
- (Mr. Amit Gupta, Additional Advocate General)

O R D E R (ORAL)

Dr. Bhagwan Sahai, Member (A):

Mr. Mohd. Younis and two others have filed this O.A. on 15.06.2020 seeking direction to the respondents to regularize their services against Class IV post retrospectively from the date

they became eligible for it, under relevant provisions of law *in vogue*, with all consequential benefits.

2. During the pendency of this O.A., the applicants further seek interim direction to the respondents to maintain their status on the posts they are working and consider their representation for regularization.

3. We have heard today Mr. Sarafraz Hamid Rather, applicants' counsel and Mr. Amit Gupta, AAG for respondents.

4. On consideration of averments of applicants in O.A. and rival contentions of the respective counsels, we observe that as submitted by the applicants, they seem to have submitted applications/representations from time to time for regularization of their services. The copies of internal correspondence between different respondents enclosed with the O.A. evidence submission of such applications/representations and forwarding of such applications to Chief Medical Officer, District Hospital Rajouri and to the Director Health Services, Jammu; and also the correspondence between Health and Medical Education Department, Govt. Of J & K and Director Health Services, Kashmir/Jammu,

5. In view of these pending representations/applications of the applicants for regularization of their services, we think it appropriate to dispose of this O.A. at this stage, with direction to the respondents to consider and finally decide the applicants'

pending applications/representations for regularization of their *ad hoc* / contractual services, as per the provisions of applicable Rules and law on the subject. This exercise should be completed by the respondents within three weeks from the receipt of a copy of this order by passing a well-reasoned and speaking order and communicate it to the applicants within one week thereafter.

6. The O.A. is accordingly disposed of. No costs.

(Rakesh Sagar Jain)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

June 17, 2020
/sunil/