

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing



T.A. No. 61/577/2020 (SWP/WP.No.2207/2002)

&

M.A.No.61/785/2020 in T.A.No.61/577/2020

Dated this the 3rd day of November, 2020

**HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)**

Sh. Mohd Sadiq, age 25 years, S/o Sh. Abdul Rashid Dar, R/o Village Thatharka, Tehsil Gool Culab Garh, District Udhampur at present Gujjar Nagar, Jammu.

.....Applicant

(Advocate: Mr. K.S. Johal)

Versus

1. State of Jammu & Kashmir through Chief Secretary, Government of Jammu and Kashmir, Civil Secretariat, Srinagar.
2. Administrator, Wakaf, Jammu.
3. Accounts Section Incharge, Auqaf, Jammu.

.....Respondents

(Advocate: Mr. Sudesh Magotra, Deputy Advocate General)

ORDER
[O R A L]

Justice L. Narasimha Reddy, Chairman:



The applicant states that he was appointed as Chowkidar by the Administrator, Wakaf, Jammu on 11.12.2001. His services were terminated through an order dated 22.06.2002. Challenging the same, he filed SWP.No.2207/2002.

2. On re-organization of the State of Jammu & Kashmir, the SWP was transferred to this Tribunal and re-numbered as TA.No.577/2020.

3. Today, we heard Mr.Karnan Singh Johal, learned counsel for the Applicant and Mr.Sudesh Magotra, learned Deputy Advocate General, for the Respondents.

4. It is a matter of record that the applicant was appointed as Chowkidar, vide order dated 11.12.2001 of the respondent no.2, on temporary basis, on a consolidated pay of Rs.1500/- per month. However he was dismissed from service through an order dated 22.06.2002 by stating that he was found absent when surprise visits are made on various dates. It is no doubt true that the applicant was not issued any show cause notice before the impugned order was passed.



5. We would have certainly gone into the matter in detail, but for the fact that the applicant is out of service ever since 22.06.2002 and the Hon'ble High Court was also pleaded to deny interim relief. At this length of time, we cannot decide the matter on merits, particularly when the appointment of the applicant was purely on temporary basis and on a consolidated pay.

6. We do not find any merit in the TA, and the same is accordingly dismissed.

7. The M.A.No.61/785/2020 stands disposed of. There shall be no order as to costs.

(Mohd. Jamshed)
MEMBER (A)

(Justice L. Narasimha Reddy)
Chairman

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