

**CENTRAL ADMINISTRATIVE TRIBUNAL,
JAMMU BENCH, JAMMU**

This the 17th day of September, 2020

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

TA No.61/1211/2020

Makhan Lal, S/o Sh. Lassshman Dass, R/o Plahi, Tehsil Basohli,
District Kathua.

.....Applicant

(By Advocates: Ms. Surinder Kour)

VERSUS

1. State of Jammu and Kashmir through Commissioner cum Secretary, Public Works Department, Government of J&K, Civil Sectt., Srinagar.

..... Respondents.

(By Advocate : Mr. Amit Gupta)

ORDER

By Hon'ble Mr. Rakesh Sagar Jain :

The applicant state that he is working on the post of Class IV (Gunman) in Public Works Department, Division Basohli. He filed this TA with a prayer to direct the respondents to regularize his services, in the post against which he is working.

2. We heard Ms. Surinder Kour, learned counsel for the applicant and Mr. Amit Gupta, learned counsel for the respondents at the stage of admission.

3. The prayer in the TA is to direct the respondents to regularize the service of the applicant. 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 applicant also need to be considered in accordance with that. 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 continuance of the persons appointed or engaged on contractual or daily wage basis. The result of such consideration shall be communicated to the applicant within a period of three months. There shall be no order as to costs.

(Anand Mathur)
Member (A)

(Rakesh Sagar Jain)
Member (J)