



CENTRAL ADMINISTRATIVE TRIBUNAL,

JAMMU BENCH, JAMMU

This the 18th day of September, 2020

TA No.061/1341/2020

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

Naseer Ahmed Khan s/o Nazir Ahmed Khan, r/o Mohalla Qilla Nagar, Tehsil Bhaderwah, District Doda.

.....Applicant
(By Advocate: Mr. N.D.Qazi)

V E R S U S

1. The State of Jammu & Kashmir through its Commissioner/Secretary, Public Health Engineering Department, Civil Secretariat, Jammu/Srinagar.
2. The Chief Engineer, Public Health Engineering Department, Jammu.
3. The Superintending Engineer, Hydraulic Circle, PHE Doda.
4. Executive Engineer, Public Health Engineering Department, Division, Doda.
5. Assistant Executive Engineer, Public Health Engineering Department, Sub Division, Bhaderwah.
6. Shahnawaz s/o Mustafa, posted as Helper in PHE Division, Doda.
7. Ghulam Hassan s/o Abdul Aziz, posted as Helper in PHE Division, Doda.

..... Respondents.

(By Advocate : Mr. Amit Gupta)

O R D E R (Oral)

By Hon'ble Mr. Rakesh Sagar Jain, JM :

Learned counsel for the applicant states that the applicant is working as a casual workers in the respondent department, Doda. He filed this TA



with a prayer to direct the respondents to regularize his services, against the posts against which he is working.

2. We heard Mr.N.D.Qazi, learned counsel for the applicant and Mr. Amit Gupta, Additional Advocate General, for the respondents.

3. The prayer in the TA is to direct the respondents to regularize the services 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 cases 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 TA directing the respondents to consider the cases 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 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)

Place: Jammu
Dated: 18.9.2020.

KKS

