



**Central Administrative Tribunal
Jammu Bench, Jammu**

O.A. No.849/2020

Wednesday, this the 30th day of September, 2020

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)

1. Mahmood Tariq age 50 years
S/o Sakhi Walayat
R/o Rajdhani Manjakote, District Rajouri.
2. Mohd. Kursheed age 40 years
S/o Mohd. Rafiq
R/o Azmatabad, Thannamandi, District Rajouri.
3. Mohd. Bashir age 28 years
S/o Noor Mohd.
R/o Rajdhani Manjakote, District Rajouri.
4. Mohd. Shakeel age 43 years
S/o Mohd. Shafi
R/o Dehari, District Rajouri.
5. Zamurat Hussain age 27 years
S/o Mohd. Iqbal
R/o Galhutti, District Rajouri.
6. Mukhtar Ahmed age 39 years
S/o Mohd. Nazir
R/o Darari, District Rajouri.
7. Gulam Mustafa age 30 years
S/o Altaf Hussain
R/o Gulthi, District Rajouri.
8. Aftab Hussain, age 37 years
S/o Mohd. Bashir
R/o Kotli Kalaban, District Rajouri.
9. Parvaiz Hussain age 33 years



- S/o Mohd. Bashir
R/o Kotli Kalaban, District Rajouri.
10. Parvaiz Ahmed age 31 years
S/o Abdul Hussain
R/o Chowdhary Nar, District Rajouri.
 11. Manzor Ahmed age 39 years
S/o Mohd. Hussain
R/o Rajdhani Manjakote, District Rajouri.
 12. Zamurit Hussain age 43 years
S/o Shah Mohd.
R/o Golhatti, District Rajouri.
 13. Angraz Singh age 39 years
Fatha Singh
R/o Swari, District Rajouri.
 14. Shabir Ahmed age 46 years
S/o Ghulam Hussain
R/o Dhar Sakri, District Rajouri.
 15. Mohd. Iqbal age 52 years
S/o Mohd. Sadiq
R/o Taralla Gujrain, District Rajouri.
 16. Mohd. Rayaz age 31 years
S/o Mohd. Afzal
R/o Toond Gagrot, District Rajouri.
 17. Mohd. Tanveer age 27 years
S/o Mohd. Aslam
R/o Chowdhrynar, District Rajouri
 18. Mohd. Younis age 29 years
S/o Mohd. Rafiq
R/o Dehriralyot Manjakote, District Rajouri.
 19. Mohd. Iqbal age 37 years
S/o Abdul Hussain
R/o Dhnor, District Rajouri.
 20. Manir Hussain age 54 years
S/o Nazam Din
R/o Dhanidhar, District Rajouri
 21. Manawar Ahmed age 32 years



- S/o Muneer Hussain
R/o Dehrlayot, District Rajouri.
22. Mohd. Shakoor age 43 years
S/o Missir Khan
R/o Koteranka, District Rajouri.
 23. Mohd. Rashid age 44 years
S/o Mohd. Din
R/o Kotranka Sawani, District Rajouri.
 24. Ateeq Ul Rehman age 42 years
S/o Abib Hussain
R/o Dodaj Darhal, District Rajouri.
 25. Khurshid Ahmed age 33 years
S/o Mohd. Maneer
R/o Dodaj Darhal, District Rajouri.
 26. Ghulam Gilane Malik age 38 years
S/o Mohd. Azam
R/o Dodaj Darhal, District Rajouri.
 27. Majid Hussain age 29 years
S/o Pervaiz Ahmed
R/o Dodaj Darhal, District Rajouri.
 28. Arshad Mehmood, age 36 years
S/o Ghulam Mohd.
R/o Dodaj Darhal, District Rajouri.
 29. Mohd. Adrees age 25 years
S/o Manir Hussain
R/o Dodaj Darhal, District Rajouri.
 30. Mohd. Shabrose, age 39 years
S/o Mohd. Mushtaq
R/o Dodaj Darhal, District Rajouri.
 31. Sabar Hussain, age 32 years
S/o Manir Husain,
R/o Dodaj Darhal, District Rajouri.
 32. Aftab Ahmed age 40 years
S/o Lal Hussain
R/o Topa Dodaj, District Rajouri.
 33. Arshad Hussain age 46 years



- S/o Barik Hussain
R/o Topa Dodaj, District Rajouri.
34. Aurangzaib age 37 years
S/o Mohd. Shabir,
R/o Topa Dodaj, District Rajouri.
 35. Asadullah age 46 years
S/o Ismttullah
R/o Topa Dodaj, District Rajouri.
 36. Mohd. Sharif age 30 years
S/o Manir Hussain
R/o Topa Dodaj, District Rajouri.
 37. Ghulam Mohi Din age 50 years
S/o Mohd. Hussain
R/o Topa Dodaj, District Rajouri.
 38. Amjed Mehmood age 28 years
S/o Mohd. Ajmal
R/o Dodaj Darhal, District Rajouri.
 39. Robeena Shaheen age 48 years
W/o Iftikhar Hussain,
R/o Dodaj Darhal, District Rajouri.
 40. Mohd. Shabier age 43 years
S/o Mohd. Fazil
R/o Dodaj Darhal, District Rajouri.
 41. Mohd. Farooq age 37 years
S/o Mohd. Ayoub
R/o Thanamang, District Rajouri.
 42. Alyas Hussain Shah age 43 years
S/o Nasar Shah
R/o Dodaj Darhal, District Rajouri.
 43. Azad Hussain age 46 years
S/o Mohd. Hussain
R/o Thanamang, District Rajouri.
 44. Majahid Hussain, age 40 years
S/o Hami Dulla
R/o Bari Darhal, District Rajouri.
 45. Mohd. Iqbal age 47 years



- S/o Mir Hussain
R/o Thanamang, District Rajouri.
46. Mohd. Rafiq, age 48 years
S/o Abdul Rashid
R/o Thannamandi Kote, District Rajouri.
 47. Maqsood Ahmed age 40 years
S/o Abdul Aziz Bhat
R/o Thannamandi, District Rajouri.
 48. Abdul Qayoom age 42 years
S/o Abdul Hamid
R/o Kote Thannamand, District Rajouri.
 49. Abid Hussain, age 36 years
S/o Abdul Rashid
R/o Lah Thannamand, District Rajouri.
 50. Ajaz Ahmed age 40 years
S/o Mohd. Afzal
R/o Lah Thannamand, District Rajouri.
 51. Mohd. Ashfaq age 32 years
S/o Bagh Hussain
R/o Thannamand Behrote, District Rajouri.
 52. Shokit Pervaiz age 30 years
S/o Pervaiz Ahmed
R/o Thannamand Tota Mohra, District Rajouri.
 53. Mohd. Rafiq age 42 years
S/o Mohd. Bashir
R/o Thannamand, District Rajouri.
 54. Saber Hussain age 48 years
S/o Begha Hussain
R/o Rajdhani Thannamand, District Rajouri.
 55. Arshad Mehmood, age 47 years
S/o Karamit Hussain
R/o Ujhan Dhankote, District Rajouri.
 56. Abdul Rashid age 44 years
S/o Shamis Din
R/o Sagrawat, District Rajouri.
 57. Mukhtar Ahmed, age 39 years



- S/o Muhtaq Ahmed
R/o Dodaj, District Rajouri.
58. Mohd. Arshad age 37 years
S/o Mohd. Amin
R/o Thanamang Darhal, District Rajouri.
59. Mohd. Anwar age 43 years
S/o Hussain Mohd.
R/o Palangar Thannamandi, District Rajouri.
60. Aurangzaib age 38 years
S/o Manir Hussain
R/o Cowkian Darhal, District Rajouri.
61. Mohd. Ishaq, age 29 years
S/o Perwaiz Khan
R/o Manyal, Thannamandi District Rajouri.
62. Abdul Ghani age 40 years
S/o Mir Mohd.
R/o Thannamandi District Rajouri.
63. Shamshir Alam age 32 years
S/o Hadam Khan
R/o Manyol, Thannamandi District Rajouri.
64. Khurshid Ahmed Mir age 37 years
S/o Mohd. Latif
R/o Husplote, Thannamandi District Rajouri.
65. Zakir Hussain, age 32 years
S/o Sobit Ali
R/o Islampur, Thannamandi District Rajouri.
66. Rukhsar Ahmed age 46 years
S/o Mohd. Latif
R/o Majhoor, Thannamandi District Rajouri.
67. Mohd. Zaffar age 40 years
S/o Sobit Ali,
R/o Husplote, Thannamandi District Rajouri.
68. Shahnaz Akhter age 32 years
D/o Nazir Hussain
R/o Thannamandi District Rajouri.
69. Tahir Rashid age 29 years



- S/o Mohd. Rahsid
R/o Dara, Thannamandi District Rajouri.
70. Mohd. Nasir age 45 years
S/o Kala Khan
R/o Husplote, Thannamandi District Rajouri.
71. Altaf Ghani age 42 years
S/o Abdul Ahad Ghani
R/o Thannamandi District Rajouri.
72. Zaffar Iqbal age 29 years
S/o Mohd. Bashir
R/o Azmat Abad, Thannamandi District Rajouri.
73. Shakeel Ahmed age 35 years
S/o Shah Mohd.
R/o Rajdhani, Thannamandi District Rajouri.
74. Tariq Mehmood age 37 years
S/o Yaqoob Khan
R/o Manyal, Thannamandi District Rajouri.
75. Farzaind Begum age 40 years
W/o Khadam Hussain
R/o Alal, Thannamandi District Rajouri.
76. Sajid Shakeel age 30 years
S/o Mohd. Shakeel
R/o Dodsan Bala, Thannamandi District Rajouri.
77. Ashiq Hussain age 41 years
S/o Mohd. Ashraf
R/o Daraba, Thannamandi District Rajouri.
78. Nahiem Ishtaq age 36 years
S/o Sham Shir Ahmed
R/o Husplote, Thannamandi District Rajouri.
79. Mohd. Arif age 34 years
S/o Mohd. Latif
R/o Khanyalkote, Thannamandi District Rajouri
80. Shabir Ahmed age 42 years
S/o Mohd. Bashir
R/o Karyote, Thannamandi District Rajouri
81. Javaid Nazir Khan age 37 years



S/o Nazir Hussain,
R/o Bathidar, Thannamandi District Rajouri

82. Mohd. Yasir Arafat age 43 years
S/o Mohd. Abdullaha
R/o Thannamandi District Rajouri
83. Shazad Ahmed age 32 years
S/o Abdul Majeed
R/o Alal, Thannamandi District Rajouri
84. Javaid Iqbal age 43 years
S/o Dilmir
R/o Khanyolkote, Thannamandi District Rajouri
85. Ajaz Ahmed age 28 years
S/o Mohd. Shafi
R/o Lah, Thannamandi District Rajouri
86. Mohd. Razak, age 46 years
S/o Munshi Khan
R/o Dheri Ralyote, District Rajouri.
87. Zulfqar Ali age 28 years
S/o Fazal Hussain
R/o Dhri Ralyote, District Rajouri.
88. Mohd. Anwar age 38 years
S/o Ghulam Hussain
R/o Chowdhary Narh, District Rajouri.
89. Shokat Hussain, age 46 years
S/o Fatha Mohd.
R/o Mangalnar, District Rajouri.
90. Mohd. Farooq age 39 years
S/o Abdu Hussain,
R/o Thanamang, Darhal, District Rajouri.
91. Mohd. Rafiq age 45 years
S/o Abdul
R/o Saaj, Thannamandi, District Rajouri

...Applicants

(Sri Abhinav Sharma, Advocate)



Versus

1. Union Territory of J&K,
Through Commissioner/Secretary,
Public Health Engineering,
Irrigation and Flood Control Department,
Civil Secretariat, Srinagar.
2. Chief Engineer, PHE Department, Jammu.
3. Executive Engineer, PHE Division, Civil Rajouri.
4. Executive Engineer, PHE Division, Mechanical
Rajouri.

...Respondents

(Sri.Rajesh Thapa, Advocate)

ORDER (ORAL)

Justice L.Narasimha Reddy :

The applicants state that they are engaged as casual labourers in the Public Health Engineering department between 2004-06 and that they are rendering their service ever since then. Their grievance is that on account of certain conditions imposed in a communication dated 06.11.2018 they are not being paid wages. Reference is made to a letter dated 07.03.2020 addressed by the Chief Engineer Public Health Department to the Commissioner/Secretary to Government PHE I & FC department with a request to remove the hurdles that are coming in the way of paying wages to the casual



labourers. The applicants have also claimed certain other ancillary reliefs.

2. We heard Sri Abhinav Sharma, learned counsel for the applicants and Sri.Rajesh Thapa, learned counsel for the respondents at the stage of admission, through video conferencing.

3. It is stated that the applicants are not being paid wages for past two years. If the work is being extracted from them and wages are not being paid, it would be certainly a matter of concern. A perusal of the letter dated 07.03.2020 addressed by the Chief Engineer to the Commissioner/Secretary discloses that the two conditions imposed vide communication dated 06.11.2018 are coming in the way of paying wages to some workers. He has also made a request to take up the matter with the Finance Department and to waive the conditions.

4. Once the Chief Engineer himself has noticed some impediments in the payment of wages to the workers, the issue cannot be kept pending indefinitely. Nearly six months have elapsed, ever since, the communication was addressed.

5. We, therefore, dispose of the OA directing the 1st respondent to take necessary steps on the letter dated 07.03.2020 addressed by the second respondent within a



period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

(A.K.Bishnoi)
Member (Admn.)

(Justice L.Narasimha Reddy)
Chairman

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