

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A./61/00986/2020 Aw MA 61/01458/2020

This the 12th day of January, 2021

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)



Girja Singh, Age 25 years, S/o Sh. Koshlia Kumar, R/o Village
Jhatgali, Tehsil Rajgarh, Distt. Ramban.

.....Applicant

(Advocate: Mr. R.D. Singh Bandral)

Versus

1. U.T. of J&K, THROUGH: Principal Secretary, Forest, Ecology and Environmental Department, Civil Secretariat, Jammu/Srinagar.
2. Regional Director, Social Forestry Department, Van Bhawan, Near Gumat, Jammu.
3. Director, Department of Social Forestry, Van Bhawan, Near Gumat, Jammu.
4. Divisional Forest Department (D.F.O.), Social Forestry Division, District Ramban.

.....Respondents

(Advocate:- Mr. Rajesh Thapa, A.A.G.)

ORDER
[O R A L]

Hon'ble Mr. Rakesh Sagar Jain, Member (J):

Alongside present OA, Miscellaneous Application No. 61/01458/2020 has also been filed by the applicant seeking condonation of delay in filing the present OA.

2. We have heard the arguments advanced by both learned counsels, on the question of delay in filing the present OA.

3. Although, Mr Rajesh Thapa, learned D.A.G. submitted that present OA is barred by limitation but looking to the nature of relief sought by

the applicant and the fact that delay is of very short duration, we hereby condone the delay in filing the present O.A. Accordingly, MA No. 61/01458/2020 is allowed.

4. At this point of time, learned counsel for the applicant submitted that the applicant is aggrieved of the order dated 15.10.2019 (Annex. A-1) appointing him as "Class-IV Orderly" despite him being eligible for Social Forest Worker/Forest Guard in Social Forestry Department, in terms of SRO 43 of 1994, i.e. Compassionate Appointment Rules, 1994. He further submits that the applicant would be satisfied if direction be given to the respondents to consider the case of the applicant in accordance with law and rules governing the same.

5. In view of limited prayer sought by the applicant, we deem it appropriate to dispose of this OA with a direction to the respondents to consider and decide the case of the applicant in accordance with law and while doing so, respondents shall take into consideration the contents of present O.A. Needless to say that respondents shall consider and decide the case of the applicant in accordance with law and rules governing the same and communicate the decision to the applicant with a reasoned speaking order, within a period of 03 weeks from the date of receipt of a certified copy of this order.

6. In terms of above directions, OA is disposed of. We make it clear that while disposing of the present OA, we have not expressed any opinion on the merits of the case.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

ss/-