



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.3708/2020
(S.W.P. No.936/2003)

Wednesday, this the 16th day of December, 2020

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Pawan Kumar, aged 33 years, S/o Sh. Dewan Chand, R/o Hamirpur Nawan, Tehsil Akhnoor, Distt. Jammu.
2. Ghulam Hussain (Scheduled Tribe) aged 29 years, S/o Sh. Nazar, R/o Prori Gujjaran, Kote Ranka, Tehsil Budhal, Distt. Rajouri.
3. Bashir Ahmed, aged 28 years, S/o Walia, R/o Bijarani Dessa, Distt Doda.
4. Jagdish Kumar (Scheduled Caste), aged 38 years, S/o Sh. Kesar Dass, R/o H. No. 123, New Plot, Jammu

...Applicants

(*Nemo* for applicants)

Versus

1. State of J&K through Principal Secretary to Government, Home Department, Civil Sectt., Srinagar.
2. Director General of Prisons and Fire Service, J&K Government, Gupat Ganga Nishat, Srinagar.
3. Superintendent, Distt Jail, Jammu.

..Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)



ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

The applicants state that they were engaged as Warders on *ad hoc* basis, in the Office of Director General of Prisons & Fire Service, Jammu & Kashmir, Jammu. They filed S.W.P. No.936/2003 before the Hon'ble High Court of Jammu & Kashmir claiming the relief of regularization, on completion of seven years of service. They state that on completion of seven years of service, they are entitled to be regularized in the respective Departments.

2. In view of re-organization of the State of Jammu & Kashmir, the S.W.P. has been transferred to this Tribunal and renumbered as T.A. No.3708/2020.

3. Today, there is no representation on behalf of the applicants. We heard Mr. Sudesh Magotra, learned Deputy Advocate General, for the Respondents, through video conferencing.

4. The relief claimed in the T.A. is one of regularization. During the pendency of T.A., the Jammu & Kashmir Civil Servants (Special Provisions) Act, 2010 came into effect. It is not known as to whether the applicants are covered by the



provisions thereof. In case they are otherwise eligible for the benefits under the said Act and were not extended, they can pursue the remedy accordingly.

5. We, therefore, dispose of the T.A. leaving it open to the applicants to avail the benefits under the Jammu & Kashmir Civil Servants (Special Provisions) Act, 2010. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

December 16, 2020

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