



**Central Administrative Tribunal
Jammu Bench, Jammu**
Hearing through video conferencing

O.A. No.61/1098/2020

This the 1st day, Tuesday of December, 2020

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

1. Nirmal Singh, age 43 years,
S/o. Sh. Dhani Ram,
R/o. Ward No.2, Near Middle School,
Koti Krishanpur, Tehsil Bilawar, District Kathua.
A/p Near Railway Road, Katra;
2. Kewal Kumar, aged 42 years,
S/o. Late Sh. Gian Chand,
R/o. Sundrani, Tehsil and District Udhampur.

.....Applicant
(Mr. Sudershan Sharma, Advocate)

Versus

1. Union Territory of Jammu and Kashmir through
Commissioner/Secretary Housing & Urban Development
Department, J&K Govt., Civil Sectt,
Jammu/Srinagar-190 001;
2. Director,
Urban Local Bodies, Jammu-180 001;
3. Deputy Director,
Urban Local Bodies,
Jammu-180 001;
4. Chief Executive Officer,
Municipal Committee, Katra.

..... Respondents
(Mr. Amit Gupta , AAG)

O R D E R (ORAL)

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

1. Applicants in the present O.A. seek direction to the respondents to regularize/confirm the services of the applicants in the department and also to release the due unpaid wages/salary of the applicants.

2. We have heard Mr. Sudershan Sharma, learned counsel for the applicants and Mr. Amit Gupta, learned counsel for the respondents and perused the record.

3. The prayer in the OA is to direct the respondents to regularize/confirm the services of the applicants in the department and also to release the due unpaid wages/salary of the applicants. We find it difficult to accede to request for regularization of services of applicants. As a matter of fact the Hon'ble Supreme Court deprecated the practice of issuing such direction. At the same time, if there exist any policy in the Government as regards dealing with the employees of this nature, the case of the applicants also needs to be considered in accordance with rules. Beyond that, we cannot issue any direction.

4. We, therefore, dispose of the OA directing the respondents to consider the case of the applicants, in terms of the existing policy regarding

regularization. However, respondents are directed to release the unpaid wages, if due and permissible under rules, within a period of three weeks from the date of receipt of a certified copy of this order. It is made clear that we have not expressed any opinion on the merits of the case. There shall be no order as to costs.

(Anand Mathur)
Member (A)

(Rakesh Sagar Jain)
Member (J)

asvs