



## Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.6007/2020  
(S.W.P. No.1232/2003)

Friday, this the 15<sup>th</sup> day of January, 2021

(Through Video Conferencing)

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

1. Geeta Devi W/o Suchat Singh, R/o Village Malhota, Tehsil Thattri, District Doda (Age 34 years).
2. Tahira Bano D/o Ghulam Mohd Zegar, R/o Doda City Doda (Age 30 years)
3. Chander Rekha D/o Ram Parkash, R/o Dharmapura, Bhaderwah (Age 35 years).
4. Kailash Devi D/o Dev Raj, R/o Goila, The: Thathri, District Doda (Age 36 years).
5. Shahida Bano W/o Nissar Ahmad, R/o Nagri Doda (Age 33 years).

.Applicants

(Nemo for applicant)

Versus

1. State of Jammu and Kashmir through Commissioner/Secretary to Government, Industries and Commerce Department, Civil Secretariat, Srinagar.
2. Director Handicrafts Department, J&K Government, Civil Sectt., Srinagar.
3. Assistant Director, Handicrafts Department, Doda
4. District Development Commissioner/Dy. Commissioner, Doda.

..Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

**O R D E R (ORAL)****Mr. Justice L. Narasimha Reddy:**

The applicants were engaged in the Department of Handicrafts in different capacities on contract basis. The applicants and similarly situated were sought to be discontinued. They filed SWP No.890/1999 before the Hon'ble High Court of Jammu & Kashmir, and it was disposed of on 23.02.2001 with certain directions. The applicants contend that though they made a representation by enclosing the copy of the order of Hon'ble High Court, their term was not extended. It was also pleaded that they were continuing from 2001, but were discontinued after some years. Feeling aggrieved, they filed SWP No.1232/2003 before the Hon'ble High Court of Jammu & Kashmir with a prayer to quash the advertisement dated 15.06.2003, issued by the respondents, inviting applications for engagement of the persons on contractual basis, and for a direction to the respondents to extend them, the benefit of order of Hon'ble High Court in SWP No.419/2002.

2. The respondents filed a detailed counter affidavit. According to them, the applicants were engaged in a centrally sponsored scheme known as 'Tribal Sub-Plan' and that the same was not operational since 2003. It is stated that once the scheme was discontinued, the relief of regularization of services cannot be extended to them. It is further stated that when the scheme was reintroduced in the year 2009, the applicants herein were reengaged for one year.

3. In view of re-organization of the State of Jammu, the SWP has since been transferred to this Tribunal and registered as T.A. No.6007/2020.

Item No.13



4. Today, there is no representation from the applicants and we heard Mr. Sudesh Magotra, learned Deputy Advocate General and perused the records.

5. The applicants filed SWP at a time, when they were disengaged from service. An interim order was passed on 15.07.2003 to the effect that five posts shall be kept reserved. Substantial development has taken place during the pendency of present T.A. The scheme known as 'Tribal Sub-Plan' was reintroduced in the year 2009 and accordingly, the applicants were reengaged for a period of one year. A totally different situation has arisen, in view of the same. Once the applicants accepted the reengagement in the year 2009, they cannot fall back on the service, if at all, rendered almost a decade earlier.

6. We do not find any merit in this T.A. It is accordingly dismissed. It is, however, left open to the applicants to work out the remedies in relation to their reengagement in terms of the scheme, if the same is still continuing.

There shall be no order as to costs.

**( Mohd. Jamshed )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

**January 15, 2021**

/sunil/dsn/sd/shakhi