

Item No.8

**Central Administrative Tribunal  
Jammu Bench, Jammu**



T.A. No.6079/2020  
(SWP No.874/2004)

Wednesday, this the 3<sup>rd</sup> day of February, 2021

(Through Video Conferencing)

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

Neeraj Sharma & Ors.

..Applicant

(None)

VERSUS

State of J&K through Commissioner/Secretary to Govt. & Ors.

..Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

**ORDER (ORAL)****Mr. Justice L. Narasimha Reddy:**

The applicants state that they are Graduates in Agricultural Science. In the year 1986, the Government of Jammu & Kashmir is said to have engaged them on payment of stipend of Rs. 600/- per month. In the subsequent year, they were put on duty on temporary appointment. Thereafter, the Subordinate Services Selection Recruitment Board (SSSRB) took up the selection for the post of Village Extension Worker (VEW). The applicants were selected therein and were issued orders of appointment. The applicants filed SWP No. 874/2004 in the Hon'ble High Court of Jammu & Kashmir, claiming relief in the form of a direction to the respondents to treat their appointment to the post of VEW, effective from 1986. They contend that once they were put on duty as VEWs, their services ought to have been counted from the date of initial appointment.

2. The respondents filed a counter affidavit. According to them, the initial engagement was purely a time gap arrangement and the actual appointment has taken place only on being selected by the SSSRB.

3. The SWP has since been transferred to the Tribunal in view of the re-organization of the State of Jammu & Kashmir and re-numbered as T.A. No.6079/2020.

4. Today, we heard Mr. Anil Sethi, learned counsel for applicants and Mr. Sudesh Magotra, learned Deputy Advocate General.



5. It is not in dispute that the applicants were selected to the post of VEW through the SSSRB in the year 1988. Assuming that they were engaged on stipend or otherwise, earlier to that, the service so rendered cannot be added to regular service. It is only when there exists any specific provision of law in this behalf or where the earlier selection was also in accordance with the prescribed procedure in Government or other agency, that the past service can be counted. The one rendered under the arrangement with stipend can, by no means, be treated as a regular appointment. At any rate, the applicants have since retired from service and nothing remains to be decided at this stage.

6. The T.A. is, accordingly, dismissed. There shall be no order as to costs.

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

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

**February 3, 2021**  
**/sunil/jyoti/vb/ankit/**