

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**O.A. No. 61/1098/2021**

This the 28th day of July 2021

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

Rakesh Kumar (Aged 36 years), S/o Shri Jagdish Lal, R/o Ward No. 16, Haveli  
Poonch-185101.

.....Applicant

(Advocate:- Mr. Hamza Prince)

**Versus**

1. Union Territory of J&K through Commissioner Secretary to Government, Public Works (R&B) Department, Civil Secretariat, Jammu-180001.
2. Chief Engineer, PW (R&B) Department, Panama Chowk Jammu-180016.
3. Superintending Engineer, PW (R&B) Department, Rajouri, Jammu-185131.
4. Executive Engineer, PW (R&B) Department, Poonch-185101.

.....Respondents

(Advocate: Mr. Amit Gupta, learned A.A.G.)

**ORDER  
[O R A L]**

**(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)**

Learned counsel for the applicant submits that the applicant would be satisfied, if a direction is issued to the respondents to consider the case of the applicant for regularization.

3. We have heard Mr. Hamza Prince, learned counsel for the applicant and Mr. Amit Gupta, learned A.A.G. for the respondents and perused the records.





4. The prayer in the O.A. is to direct the respondents to regularize the service of the applicant. We find it difficult to accede to such a request. 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 applicant also need to be considered in accordance with rules. Beyond that, we cannot issue any direction.

5. We, therefore, dispose of the OA directing the respondents to consider the case of the applicant, in terms of the existing policy, relevant schemes, law laid down by various court, rules and regulations governing regularization and if permissible under the rules, within two months from the date of receipt of a certified copy of this order.

6. It is made clear that we have not expressed any opinion on the merits of the case.

7. No order as to costs.

**(ANAND MATHUR)**  
**MEMBER (A)**

**(RAKESH SAGAR JAIN)**  
**MEMBER (J)**

*Arun...*