



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No. 6793/2020
(SWP No.1229/2003)

Monday, this the 22nd day of February, 2021

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)

1. Anil Kumar, Son of Shri Anchal Dass, R/o Ward No. 3, Kathua, Aged 37 years.
2. Naresh Kumar, Son of Prabh Dayal, R/o Village Janghote, Tehsil Kathua, Aged 42 years.

..Applicants

(Mr. Farooq Ahmad Natnoo, Advocate)

Versus

1. State of Jammu & Kashmir through Commissioner/Secretary Revenue Department, Civil Sectt., Srinagar.
2. Financial Commissioner, (Revenue) Jammu and Kashmir Government, Civil Sectt., Srinagar.
3. Divisional Commissioner, Jammu.
4. Deputy Commissioner, Kathua.
5. Tehsildar, Hiranagar.
6. Tehsildar, Kathua

..Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:



The applicants herein were engaged as Junior Assistants in the Revenue Department, Kathua in the year 1995. It is stated that ever since their appointment, they were assigned the actual duties for maintenance of the relevant records, and that they were working to the satisfaction of all seniors. The grievance of the applicants is that though they are working for the past eight years, the respondents are not regularizing their services.

2. On behalf of respondents, a counter affidavit is filed. It is stated that the first applicant is no more. As regards second applicant, the work is being assigned ever since he has been appointed.
3. The SWP has since been transferred to the Tribunal in view of re-organization of the State of Jammu and Kashmir and re-numbered as TA No. 6793/2020.
4. Today, we heard Mr. Farooq Ahmad Natnoo, learned counsel for applicants and Mr. Sudesh Magotra, learned Deputy Advocate General.

5. It is not in dispute that the applicants were engaged way back in the year 1995 as Junior Assistants and they were performing the duties assigned to them. The Government of Jammu & Kashmir has not only evolved a scheme for regularization of temporary employees, but also enacted a law for this purpose. If the applicants fit into those parameters, the corresponding relief needs to be extended to them. Unfortunately, during the pendency of the T.A., the first applicant died. As regards second applicant, it is stated that the record is being prepared.

6. We, therefore, dispose of the O.A. directing the respondents to consider the case of second applicant for regularization in the post of Junior Assistant in accordance with the existing provisions of law, within two months from the date of receipt of a copy of this order. In case the second applicant is regularized, he shall not be entitled to any back-wages.

There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

February 22, 2021
/sunil/akshaya/sd

