



**Central Administrative Tribunal
Jammu Bench, Jammu**

**TA No.8272/2020
SWP No.387/2009**

Tuesday, this the 16th day of March, 2021

(Through Video Conferencing)

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

Nazir Hussain S/o Sullah Mohammad, age 43 yrs,
R/o Village Sanai, Surankote,
District Poonch.

...Applicant

(None for applicant)

VERSUS

1. State through Chief Secretary to Govt.,
Jammu & Kashmir Jammu/Srinagar.
2. Director, School Education, Jammu.
3. Chief Education Officer, District Poonch.
4. Zonal Education Officer, Surankote, District Poonch.
5. Head Master, Govt. Sanai, District Poonch.

...Respondents

(Mr. Rajesh Thapa, Deputy Advocate General)

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

The applicant was engaged as Safaiwala in the Government High School (Boys), Sanai, District Poonch, on 16.10.1992. He filed SWP No. 387/2009 before the Hon'ble High Court of Jammu & Kashmir, claiming the relief in the form of a direction to the respondents to extend him the benefit of daily wages stipulated under the Minimum Wages Act, 1948, on par with the other employees. It is stated that though he worked for more than a decade by the time the SWP was filed, he was not being treated as daily wager.

2. The SWP has since been transferred to the Tribunal in view of the reorganisation of the State of Jammu and Kashmir and renumbered as TA No. 8272/2020.

3. Today, there is no representation for the applicant and we heard Mr. Rajesh Thapa, learned Deputy Advocate General and perused the records.

4. The record discloses that in CMP No. 511/2009, the Hon'ble High Court of Jammu & Kashmir passed an order dated 04.03.2009, directing that the respondents shall treat the applicant as daily wager and consider the feasibility of extending

Item No. 14



the benefits, stipulated under the Minimum Wages Act, 1948. It is not known as to whether the said order has been implemented. There should not be any objection by the respondents in extending such benefit to the applicant.

5. We, therefore, dispose of the TA in terms of the interim order dated 04.03.2009 passed by the Hon'ble High Court. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

March 16, 2021
/sunil/jyoti/vb/ankit