

## Central Administrative Tribunal Jammu Bench, Jammu



T.A. No.8422/2020  
S.W.P. No.69/2008

Thursday, this the 18<sup>th</sup> day of March, 2021

(Through Video Conferencing)

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

1. Sukhdev aged 36 years  
S/o Sh. Munshi Ram  
R/o Gharani, Teh. R.S. Pura, Distt. Jammu.
2. Joginder Lal aged 37 years  
S/o Sh. Sewa Ram  
R/o Ballah, Teh. R.S. Pura, Distt. Jammu.
3. Kewal Krishan aged 46 years  
S/o Sh. Kartar Chand  
R/o Jogowal Tehsil R.S. Pura  
Distt. Jammu.
4. Kewal Krishna, aged 33 years  
S/o Sh. Hari Chand  
R/o Camp Rathana, Teh. R.S. Pura  
Distt. Jammu.

..Applicants

(Nemo for applicant)

### VERSUS

1. State of Jammu and Kashmir through Commissioner/  
Secretary to the Ministry of Rural Development, Civil  
Secretariat, Jammu/Srinagar.
2. Director, Rural Development, Jammu.
3. Assistant Commissioner Development  
(ACD)Jammu
4. Block Development Officer(DO), R.S. Pura

..Respondents

(Mr. Sudesh Magotra, Dy. Advocate General)

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

The applicants state that they worked as daily rated workers in the Rural Development Department, Jammu for the past several years. It is stated that the applicants were regularized, through an order dated 24.03.2006, with effect from the various dates and despite that, they are not being considered for promotion. Another complaint of the applicants is that they are not being paid the wages regularly. They filed SWP No.69/2008 before the Hon'ble High Court of Jammu & Kashmir, claiming the relief in this behalf.

2. The respondents did not file any counter affidavit.
3. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu & Kashmir and renumbered as TA No. 8422/2020.
4. Today, there is no representation for the applicants and we heard Mr. Sudesh Magotra, learned Deputy Advocate General.
5. The applicants commenced their career as daily rated workers. Thereafter, on completion of 7 years continuous service, their services were regularised and adjusted as Helpers in the pay scale of Rs.2550-3200. The SWP is silent about the Recruitment Rules for the relevant service. It is not known as to whether there exists any promotional avenue for the post of Helper. Even if

such an avenue exists, much would depend upon the availability of the vacancies in the higher post and the eligibility of the applicants.



6. We, therefore, dispose of the T.A., directing that in case there exists any promotional avenue for the post of Helper and the applicants have acquired the eligibility for it, their cases shall be considered, in accordance with law. If any salary is due, it shall be cleared within that time.

There shall be no order as to costs.

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

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

**March 18, 2021**  
/sunil/jyogi/vb/ankit/