

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 61/1005/2020

This the 05th day of March, 2021

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



Ghulam Hassan Malik, Age 46 years, S/o Ghulam Ahme Malik, R/o Village Nowpachi, Tehsil Marwah, District Kishtwar.

.....Applicant

(Advocate:- Mr. F.S. Butt)

Versus

1. State of Jammu and Kashmir through Commissioner Secretary to Government, Revenue Department, Civil Sectt, Srinagar/Jammu.
2. Deputy Commissioner, Kishtwar.
3. Sub Divisional Magistrate Marwah, Kishtwar.
4. Tehsildar, Marwah, Kishtwar.

.....Respondents

(Advocate: Mr. Amit Gupta, Additional Advocate General)

ORDER

[O R A L]

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

At the outset, 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 in terms of SRO 520 dated 21.12.2017.

2. We have heard Mr. F.S. Butt, learned counsel for the applicant and Mr. Amit Gupta, Id. Additional Advocate General for the respondents and perused the record.

3. The prayer in the TA is to direct the respondents to regularize the services 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 exists any policy in the Government as regards dealing with the employees of this

nature, the case of the applicant also needs to be considered in accordance with rules. Beyond that, we cannot issue any direction.



4. We, therefore, dispose of the TA directing the respondents to consider the case of the applicant, in terms of the existing policy and relevant schemes governing regularization, if permissible under the rules, within a period of three weeks from the date of receipt of a certified copy of this order.

5. It is made clear that we have not expressed any opinion on the merits of the case. There shall be no order as to costs.

(ANAND MATHUR)
MEMBER (A)
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(RAKESH SAGAR JAIN)
MEMBER (J)