



**Central Administrative Tribunal
Jammu Bench, Jammu**

T.A. No.2285/2020
M.A. No. 86/2021
(S.W.P. No.4024/2019)

Wednesday, this the 3rd day of March, 2021

(Through Video Conferencing)

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

Jahangir Ahmed, Aged 29 years
S/o Lt. Abdul Hamid
R/o Chandak, Tehsil Haveli, Distt. Poonch.

.. Applicant

(Through Mr. R.D. Singh Bandral, Advocate)

Versus

1. The State of J&K through
Commissioner/Secretary
Forest Department
Civil Secretariat, Srinagar/Jammu.
2. Principal Chief Conservator of Forests
Forest Complex
Sheikh Bagh Near Lal Chowk
Srinagar.
3. Divisional Forest Officer
Forest Department, Poonch.

.. Respondents

(Through Mr. Sudesh Magotra, Deputy Advocate General)

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

The applicant states that his father was employed as a casual worker on daily rate basis in the Social Forestry Department and he died on 25.05.2019. After obtaining a Dependent Certificate dated 31.07.2019, the applicant filed a representation to the respondents on 16.10.2019, with a request to extend him, the benefit of appointment on compassionate grounds in terms of SRO 43 of 1994. He filed SWP No.4024/2019 with a prayer to direct the respondents to consider his case for appointment on compassionate grounds.

2. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu & Kashmir and renumbered as T.A. No.2285/2020.

3. Today, we heard Mr. R.D. Singh Bandral, learned counsel for applicant and Mr. Sudesh Magotra, learned Deputy Advocate General, through video conferencing.

4. It was only on 16.10.2019, that the applicant filed a representation to the respondents, claiming the benefit of appointment on compassionate grounds. The SWP was filed hardly within one week thereafter. By any standard, it is premature. Further, the respondents have to examine whether there exists any facility of appointment on compassionate

grounds, in respect of the employees, who are engaged as casual workers. It cannot be said that there is any undue delay on the part of the respondents. At the same time, the representation/application cannot be kept pending indefinitely.

5. We, therefore, dispose of the T.A., directing the respondents to pass an order on the representation dated 16.10.2019 submitted by the applicant, within a period of two months from the date of receipt of a copy of this order. Pending MA also stands disposed of.

There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

March 3, 2021
/dkm/sd/sunil/jyoti/