

**Central Administrative Tribunal
Jammu Bench, Jammu**



T.A. No.5042/2021
(SWP No.1183/2009)

Friday, this the 28th day of May, 2021

(Through Video Conferencing)

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

1. Krishan Kumar,
Aged 37 years,
S/o Sh. Tej Ram,
R/o Kotli Bala, Tehsil & District Udhampur.
2. Romesh Kumar,
Aged 34 years,
S/o Sh. Raja Ram,
R/o Village Rathian,
Tehsil & District Udhampur.
3. Som Raj,
Aged 41 years,
S/o Sh. Ram Chand,
R/o Village Chakhar,
Tehsil & District Udhampur
4. Raj Kumar,
Aged 31 years,
S/o Sh. Prabhu Dayal,
R/o Village Barolla,
Tehsil & District Udhampur.
5. Romesh Kumar,
Aged 37 years,
S/o Sh. Krishan Chand,
R/o Village Lansi,
Tehsil & District Udhampur.
6. Balbir Singh,
Aged 28 years,
S/o Sh. Krishan Singh,
R/o Village Ladda,
Tehsil & District Udhampur



7. Karan Singh,
Aged 40 years,
S/o Village Kotlibala,
Tehsil & District Udhampur.
8. Kuldeep Singh,
Aged 35 years,
S/o Sh. Sonak Singh,
R/o Village Malhar,
Tehsil & District Udhampur
9. Raj Kapoor,
Age 35 years,
S/o Daya Ram,
R/o Johan Tehsil and District Udhampur.

..Applicants

(Mr. Anil Khajuria, Advocate)

VERSUS

1. The State of Jammu and Kashmir
Through its Principal Secretary to Government,
Revenue Department, J&K,
Srinagar.
2. The Settlement Commissioner,
Jammu and Kashmir Government,
Revenue Department, Jammu.
3. The Deputy Commissioner,
Udhampur.
4. The Settlement Officer (Gole Gujral),
Revenue Department, Jammu.
5. The Assistant Settlement Officer (Revenue),
Assistant Commissioner (Revenue),
Udhampur.
6. The Tehsildar,
Udhampur.

..Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

ORDER (ORAL)



Mr. Justice L. Narasimha Reddy:

The applicants contend that they were engaged as Prism-men in the Revenue Department in the year 1992 and they are being continued ever since then. Their grievance is that though the services of several persons of that category were regularized, such benefit was not extended to them. It is stated that the respondents did not follow the principle of 'last come first go' in this behalf. They filed SWP No.1183/2009 before the Hon'ble High Court of Jammu & Kashmir, claiming the relief. They have also prayed for payment of salary for Sundays during which they are said to have worked.

2. The record discloses that the respondents did not file any counter affidavit.
3. The SWP has since been transferred to the Tribunal in view of reorganization of the State of Jammu & Kashmir and renumbered as T.A. No.5042/2021.
4. The applicants contend that they are working as Prism-men since 1992. It is not known as to whether they are continuing in that capacity as of now. In the State of Jammu & Kashmir, not only the Executive orders are issued for regularization of the



temporary or *ad hoc* employees from time to time, but also an Act of legislature was passed in the year 2010. In case the applicants are still in service and they fit into any of schemes for regularization, their cases need to be considered.

5. We, therefore, dispose of the T.A., directing the respondents to pass orders on the claim of the applicants for regularization, within a period of two months from the date of receipt of a copy of this order. We leave it open to the applicants to furnish their particulars and the SROs or circulars, relied upon by them, along with a copy of this order.

There shall be no order as to costs.

(Tarun Shridhar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

May 28, 2021
/sunil/rk/ankit/sd/