

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 61/3697/2020

This the 27th day of April, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. DINESH SHARMA, MEMBER (A)**

Mohd Khan age 48 years, S/o Farman Ali, R/o Thanamang,
Tehsil Darhal and District Rajouri.

.....Applicant

(Advocate: Mr. Zahid Sarfraz Malik)

Versus

1. State of Jammu and Kashmir through, Commissioner Secretary Rural Development Department, Civil Secretariat, Jammu.
2. Director, Rural Development Department, Jammu.
3. Assistant Commissioner Development, Rajouri.
4. Block Development Officer, Darhal.
5. Programme Officer, Darhal.

.....Respondent

(Advocate: Mr. Amit Gupta, AAG)

O R D E R [O R A L]

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

In the present T.A., the applicant seeks a direction to the respondents to regularise him as Mali cum Chowkidar or GRS/VLW as he has been engaged in lieu of land provided for construction of panchayat ghar building in block Darhal.



2. At the outset, the learned counsel for the applicant submits at this stage that he would be happy and satisfied, if a direction is given to the respondents to consider his prayer to regularise the applicant within a stipulated time.



3. We have heard Mr. Zahid Sarfraz Malik, learned counsel for the applicants and Mr. Amit Gupta, Id. AAG for the respondents and perused the record.

4. 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 exist any policy in the Government as regards dealing with the employees of this nature, the case of the applicant also need to be considered in accordance with rules. Beyond that, we cannot issue any direction.

5. 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, if permissible under the rules, within a period of two months from the date of receipt of a certified copy of this order. 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.

(DINESH SHARMA)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)