



Item no.11

**Central Administrative Tribunal
Jammu Bench, Jammu**

T.A. No.5389/2021
(S.W.P. No.850/2003)

Friday, this the 21st day of May, 2021

(Through Video Conferencing)

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

Lehar Singh, age 30 years,
S/o Sh. Faquir Chand,
R/o Village Gham (Telhi),
Tehsil Ramban, District Doda.

... Applicant

(Nemo for applicant)

Versus

1. State of Jammu & Kashmir through Commissioner/Secretary Revenue Department Civil Secretariat, Jammu.
2. Financial Commissioner (Revenue) J&K Govt., Civil Secretariat, Jammu.
3. Divisional Commissioner, Jammu.
4. Settlement Commissioner, Jammu.
5. Tehsildar Settlement, Ramban.

... Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

**O R D E R (ORAL)****Mr. Justice L. Narasimha Reddy:**

The applicant states that he was engaged as Chainman in the Revenue Department of Jammu & Kashmir in the year 1993 when the settlement operations were conducted in the Tehsils. It is stated that though the daily wagers are paid up to February, 2002, the wages for the subsequent period are not released. Stating that SRO No.64 of 1994 provided for regularization of the services of a daily wage employees engaged in settlement operations and that the benefit thereof was not extended to him, he filed SWP No.850/2003 before the Hon'ble High Court of Jammu & Kashmir.

2. The applicant pleaded that once he rendered services almost for a decade in the Revenue Department, he was entitled to be regularized as Patwari.

3. The record discloses that the respondents did not file any counter affidavit.

4. 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.5389/2021.



5. Today, there is no representation for the applicant. Accordingly, we perused the record and heard Mr. Sudesh Magotra, learned Deputy Advocate General.

6. Even according to the applicant, he was engaged as Chainman on daily wages from 1993 onwards. He claims the relief in the form of a direction to the respondents to regularize his services as Patwari.

7. It may be true that the SRO No.64 of 1994 provides for regularization of daily wagers in the very post in which they were working. The fact, however, remains that the respondents themselves issued a notification dated 18.09.2000 inviting applications from the candidates, who worked as Chainmen, for being called for interview. It is not known as to whether the applicant attended the interview and whether he was considered. In case the applicant was interviewed as a sequel to the notification dated 18.09.2000, the further steps need to be taken. If on the other hand he was not considered, his case may be dealt with in the next selection, provided he satisfies the conditions stipulated therefor.

8. We, therefore, dispose of the T.A. directing the respondents that in case the applicant fulfills the conditions for



Item no.11

being considered for appointment to the post of Patwari with reference to the notification dated 18.09.2000, appropriate orders shall be passed within two months from the date of receipt of a copy of this order. In the event of his being selected and appointed, he shall not be entitled for any back-wages and the appointment shall be prospective in operation.

There shall be no order as to costs.

(Tarun Shridhar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

May 21, 2021
/sunil/lalit/ankit/sd/