

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/692/2021

This the 26th day of April, 2021

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

Abass Nasser, Age 25 years, S/o Mohd Kabir, R/o Badakana, Tehsil
Thannamandi District Rajouri

.....Applicant

(Advocate:- Mr. Arshad Pervaiz Malik)

Versus

1. Union Territory of Jammu and Kashmir through its Commissioner/Secretary, Public Health Engineering Department, (Jal Shakti Department), Civil Secretariat, Jammu.
2. Chief Engineer, Public Health Engineering, Jammu.
3. Executive Engineer, Public Health Engineering, Division, Rajouri-185131.

.....Respondents

(Advocate: Mr. Amit Gupta, learned A.A.G.)

ORDER

[O R A L]

(Delivered by Hon'ble Mr. Dinesh Sharma, Member-A)

The grievance of the applicant Abass Nasser as stated in the O.A. is that despite donating his land to the respondents for the purpose of construction of Borewell, he has not been given job in the Department nor has he been given any compensation. The case of the applicant is that he had donated his land to the respondents for construction of Borewell. The respondents had promised the applicant that in lieu of the land donated by him, the applicant or any of his family members will be given job in the Department or due compensation would be paid. The applicant did not ask for any compensation in view of the assurance given by the Department that he would be given appointment in the Department as early as possible. The applicant also furnished a representation before the respondents, however, no decision has been taken on the same till date.



2. Learned counsel for the applicant referred to judgement dated 10.08.2018 passed by Hon'ble High Court of Jammu and Kashmir in SWP No. 1615/2018 and prays for a similar order.



3. We have heard Mr. Arshad Pervaiz Malik, learned counsel for the applicant and Mr. Amit Gupta, learned A.A.G. for the respondents and perused records.

4. The applicant has referred to judgement dated 10.08.2018 passed by Hon'ble High Court of Jammu and Kashmir in SWP No. 1615/2018 wherein the following order was passed:-

“Keeping in view the nature of controversy involved, no purpose would be served by keeping the writ petition pending, therefore, the same is taken up for consideration and is disposed by providing that respondent No. 1 shall consider the representation of the petitioner, if any, pending before him and take appropriate decision there on in light of SRO 520 dated 21.12.2017, if applicable to the case of the petitioner, within a period of four weeks from the date a certified copy of this order is made available by the petitioner.”

5. In view of the limited prayer made by the learned counsel for the applicant, we dispose of the O.A. with direction to the respondents to consider and take a decision on the representation dated 19.04.2020 (Annexure No. A-17 to the O.A.) by passing a reasoned and speaking order and communicate the decision so taken to the applicant within a period of two months from the date of receipt of certified copy of this order.

6. It is made clear that we have not entered into the merits of the case.

7. There shall be no orders as to cost.

(DINESH SHARMA)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)