



## **Central Administrative Tribunal Jammu Bench, Jammu**

TA No. 5939/2021  
(SWP No. 659/2011)

Wednesday, this the 30<sup>th</sup> day of June, 2021

(Through Video Conferencing)

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

Mohammad Hafiz, Age 55 years  
S/o Shri Gulab Din  
R/o Village Golhad  
Tehsil Mendhar, District Poonch.

...Applicant

(Nemo for applicant)

### **VERSUS**

1. State of Jammu& Kashmir  
Through Director to the Govt. of  
Agricultural Department  
Talab Tillo, Jammu  
Tehsil and District Jammu.
2. Chief Agricultural Officer, Poonch  
District Poonch.

...Respondents

(Mr. Rajesh Thappa, Deputy Advocate General)

### **ORDER (ORAL)**

#### **Mr. Justice L. Narasimha Reddy:**

The applicant states that he was engaged as daily wager by the respondents in the year 1988 and ever since then, he was working as such. He made a representation for regularisation of his services. The applicant contends that the respondents

Item No. 9



stopped the payment of wages from June, 2009 onwards. He filed SWP No.659/2011 before the Hon'ble High Court of Jammu & Kashmir, with a prayer to direct the respondents No.2, 3 and 4 to release the arrears of wages.

2. The SWP has since been transferred to the Tribunal in view of the reorganisation of the State of Jammu & Kashmir and renumbered as TA No. 5939/2021.

3. Today, there is no representation for the applicant. We perused the record and heard Mr. Rajesh Thappa, learned Deputy Advocate General on behalf of the respondents.

4. The applicant claims the arrears of wages. Strictly speaking, it is a matter which comes within the purview of the authority under the Payment of Wages Act, 1936. Further, the Tribunal can entertain such a plea, only if the relevant facts are not in dispute. There is nothing on record to disclose that the applicant worked for the period, in respect of which he claimed wages. We find it difficult to grant any relief when the facts are seriously in dispute and no record is placed before us. The applicant has also crossed the age of 60 years as of now.

Item No. 9



5. We do not find any merit in the T.A. and accordingly, the same is dismissed. There shall be no order as to costs.

**( Mohd. Jamshed )**  
Member (A)

**( Justice L. Narasimha Reddy )**  
Chairman

**June 30, 2021**  
/sunil/jyoti/