



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.530/2021
(SWP No.2563/2013)

Tuesday, this the 23rd day of March, 2021

(Through Video Conferencing)

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

1. Imtiyaz Ahmad Mir, Age 37 years,
S/o Abdul Gani Mir
R/o Hirpora, Shopian Kashmir
2. Bilal Ahmad Bhat, Age 36 years
S/o Ghulam Mohammad Bhat
R/o Pergochi Shopian, Kashmir.
3. Mohammad Maqbool Mir, Age 56 yrs.
S/o Abdul Samad Mir
R/o Kumdalan, Shopian, Kashmir.

..Applicants

(Nemo for applicants)

Versus

1. State of J & K through
Secretary to J & K Govt.,
School Education Department,
Civil Sectt.,
Jammu/Srinagar.
2. Director,
School Education, Jammu.
3. Chief Education Officer,
Shopian, Kashmir
4. Zonal Education Officer,
Imam Sahab, Shopian, Kashmir.

.. Respondents

(Mr. Rajesh Thappa, Deputy Advocate General)

ORDER (ORAL)**Mr. Justice L. Narasimha Reddy:**

The applicants were engaged as Sweepers between 1988 and 1992 in the Education Department. Claiming the relief of regularization, the applicants filed SWP No.2563/2013 before the Hon'ble High Court of Jammu & Kashmir. They pleaded that though they have put in more than a decade of service, they are not being regularized. An interim order dated 27.12.2013 was passed by the Hon'ble High Court, directing the respondents to consider the cases of the applicants.

2. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu & Kashmir and renumbered as T.A. No. 530/2021.
3. Today, there is no representation for the applicants. We heard Mr. Rajesh Thappa, learned Deputy Advocate General. He submits that the applicants were being paid from contingent funds and they were not working against sanctioned posts. It is also stated that the scheme of regularization does not cover such cases.
4. Once the engagement of the applicants is purely on *ad hoc* basis and they are being paid from contingent funds, we find it difficult to direct the respondents to regularize the services of

the applicants. Further, the applicants are not able to point out any specific scheme that entitles them to be regularized.



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

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

March 23, 2021
/pj/sunil/vb/ankit/