

**Central Administrative Tribunal
Jammu Bench, Jammu**



T.A. No. 5709/2020
(S.W.P. No.1627/2015)

Monday, this the 3rd day of May, 2021

(Through Video Conferencing)

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

Akhter Hussain & others

(Mr. P S Ahmad, Advocate)

..Applicants

VERSUS

State of Jammu & Kashmir & others

(Mr. Sudesh Magotra, Deputy Advocate General)

..Respondents

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

The applicants state that they were engaged as Malies/Chowkidars in various Halkas of Block Achabal of Anantnag District, Kashmir and permission was granted for their engagement by the Director, Rural Development Department, Kashmir, through order dated 11.10.2014. Complaining that they are not permitted to join duty, despite being appointed, the applicants filed SWP No.1627/2015 before the Hon'ble High Court of Jammu & Kashmir with a prayer to direct the respondents to permit them to join duty.

2. 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.5709/2020.

3. Today, we heard Mr. P S Ahmad, learned counsel for applicants and Mr. Sudesh Magotra, learned Deputy Advocate General.

4. It may be true that the Director of Rural Development Department accorded permission in engaging casual labourers in Panchayat Ghar, Anantnag District by order dated 11.10.2014. However, the names of the applicants did not figure therein.

Admittedly, the applicants were not permitted to join duty. The reason appears to be that the Government issued an order dated 17.03.2015, withdrawing the permission accorded for engaging the casual labourers in Panchayat Ghar of District Anantnag. In case the applicants felt aggrieved by that, they have to challenge the said order. Obviously, as they were not aware of it, they did not challenge it.



5. We, therefore, dismiss the T.A., leaving it open to the applicants to challenge the order dated 17.03.2015, if so advised. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

May 3, 2021
/sunil/jyoti/sd/