

**Central Administrative Tribunal
Jammu Bench, Jammu**



TA No. 6125/2020
SWP No.1949/2012

This the 10th day of March, 2021

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)

Khursheed Ahmad Bhat & others

...Applicants

(Nemo for applicants)

VERSUS

1. State of J&K through Commissioner/Secretary to Government, Public Health Engineering & Irrigation Flood Control Department, Civil Secretariat, Srinagar.
2. Chief Engineer, Irrigation & Flood Control Department, Kashmir, Srinagar.
3. Superintending Engineer, Mechanical Circle, Irrigation & F.C. Department, Srinagar.
4. Executive Engineer, Mechanical Irrigation Division, Anantnag HQ, Awantipora.
5. Assistant Executive Engineer, Mechanical Irrigation Sub Division, Padgampora/Awantipora.
6. Assistant Executive Engineer Mechanical Irrigation Sub Division, Anantnag HQ, Awantipora.

...Respondents

(By Advocate: Sh. Rajesh Thappa, Dy. Advocate General)

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

The applicants filed SWP 1949/2012 before the Hon'ble High Court of Jammu and Kashmir, stating that they were engaged as Watch and Ward staff in the establishment of the Executive Engineer, Mechanical Irrigation Division, Anantnag, in the year 2007. They contend that though a communication was forwarded by the Division to the office of Superintendent i.e. R-3 for availing their services, no further steps have been taken. With these and other relevant averments, the applicants prayed for a Writ of Mandamus, to direct the respondents, to consider their cases for regularization along with other similarly situated persons in the list aid to have been forwarded by R-4 to R-3. The respondents shave also enclosed a copy of the alleged communication as Anx-B-2.

2. The SWP has since been transferred to this Tribunal in view of re-organization of the State of Jammu & Kashmir, and renumbered as T.A. No.6125/2020.

3. Today, there is no representation on behalf of the applicants.

4. Though no counter affidavit is filed, the learned counsel for the respondents Sh. Rajesh Thappa, Dy. Advocate General, submitted that the 4th respondent has flatly rejected the plea of the applicant and stated that at no point of time, they were engaged. It is further stated that this Anx-B-2 is a fabricated letter. In this



situation of serious disputes as to the very basic facts, we do not find it appropriate to grant any relief.

5. The TA is accordingly dismissed. There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/sd/dsn/sunil/