

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A.62/6335/2020 (SWP.No.682/2002)

This the 17th day of December, 2020

**HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)**

Mohd. Maqbool Parray, S/o Wahab Parray, R/o Hajan, Tehsil
Sonawari, Age: 39 years.

.....Applicant

(Advocate:- Mr. S.H. Thakur)

Versus

1. State of J&K through Commissioner, Secretary to Govt..
2. Chief Engineer Electric Department, M & R Wing J&K Govt.
Srg.
3. Ex. Engineer Electric Maintenance Division Sumbal Sonawari,
Kmr.
4. Superintendent Engineer Electric Maintenance Circle Sopore.

.....Respondents

(Advocate:- Mr. Sudesh Magotra, Id. Deputy Advocate General)



**ORDER
[ORAL]**

Justice L. Narasimha Reddy, Chairman: -



The applicant states that he was engaged as casual labourer in the Sub-Division Hanjan, of the respondent Electrical Department of State of Jammu & Kashmir at Srinagar, since 1989. He claimed the relief of regularization of his services in terms of SRO 64 of 1994.

2. The Chief Engineer of the Department passed an order dated 13.02.2020 stating that the applicant did not complete 7 years of continuation service as required under SRO 64 of 1994, and that he was engaged intermittently depending upon the availability of work. He rejected the claim of the applicant.

3. The SWP was filed challenging the order dated 13.02.2002. The applicant states that he worked for almost 13 years on casual basis and it was wrongly denied to him the benefit of SRO 64 of 1994.

4. On behalf of the respondents, a counter affidavit is filed. They have furnished the particulars of the period during which the applicant was engaged as labourer on casual basis. It was fairly admitted that the applicant was working for the past 13 years. It is also stated that the entire record was thoroughly verified, and only on finding that the

applicant did not fulfil the conditions stipulated in the SRO, it is, therefore, rejected.



5. The Writ Petition has since been transferred to this Tribunal in view of reorganization of the State of Jammu & Kashmir and renumbered as TA.No.6335/2020.

6. Today, we heard Mr.S.H.Thakur, learned counsel for the Applicant and Mr. Sudesh Magotra, Id. Deputy Advocate General, for the Respondents.

7. The respondents did not deny the fact that the applicant was engaged as casual labourer for some time. Though the applicant states that he was engaged from 1989 onwards, according to the respondents, it is only in the year 1992 against the progress of the work on need basis. It is true that the SRO 64 of 1994 provides for service of casual labourers or ad hoc employees, who work continuously for a period of 7 years. The representations made by the applicant were thoroughly examined by the Chief Engineer. In the impugned order, it was categorically stated that the applicant did not have to his credit the continuous work service of 12 years. This Tribunal can interfere with the said finding, if only the applicant is able to place on record to substantiate his claim that he worked continuously for 7 years. Nothing of that sort is forth coming.

8. We, therefore, do not find any merit in the TA and the same is accordingly dismissed. There shall be no order as to costs.



(MOHD JAMSHED)
MEMBER (A)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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