

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 62/1494/2021

M.A. No. 62/1555/2021

This the 30th day of September, 2021

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)



Amar Singh, Age 51 years, S/o Sh.Choor Singh, R/o Village Senabtti Tehsil Banihal District Ramban, PIN Code-182145.

.....Applicant

(Advocate:- Ms.Shivani Jalali)

Versus

1. Union Territory of Jammu & Kashmir through Commissioner-cum-Secretary to PHE, Irrigation and Flood Control Department, Civil Secretariat, Srinagar- Pin Code-190009.
2. Chief Engineer, Irrigation and Flood Control Department, Jammu PIN Code-180001.
3. Superintending Engineer, Hydraulic Circle, Jammu-Pin Code-18001.
4. Executive Engineer, Irrigation Division No.1 Canal Road, Jammu Pin Code-180007.
5. Kunj Lal S/o Masadi Ram R/o Shakti Nagar, Jammu presently working in the office of Executive Engineer, Irrigation Division No.1 Canal Road, Jammu as Gauge Reader, Pin Code-180001.

.....Respondents.

(Advocate:- Mr.Amit Anand, AAG)

**ORDER
ORAL**

In the instant case, the applicant has sought the following reliefs:

- “a) By allowing this application with a prayer to command the official respondents to consider the case of the applicant for regularizing his

services as Gauge Reader in parity with private respondent who is similarly situated and circumstanced with the applicant and has been appointed with the applicant in the same year.

b) By directing the official respondents to release the arrears of salary of the post of Gauge Reader in favour of the applicant as the applicant is discharging the duties of Gauge Reader from last eighteen years.

c) An appropriate order in the nature of writ of mandamus directing to the respondents to consider the case of the applicant as Gauge Reader in favour of the applicant as the applicant against the respondents keeping in view the nature and circumstances of the case into consideration in accordance with the law.

d) Any other order which the Hon'ble Tribunal may deem fit and proper may also be passed in favour of the applicant as the applicant against the respondents.”



2. Learned counsel for the applicant submits that her client has been engaged from the year 1978 and this factum may also be considered by the respondents while disposing of the case of the applicant. She also submits that the applicant would be satisfied, if a direction is issued to respondents No.1 and 2 to treat this O.A. as representation preferred by the applicant and take a decision on the same by passing a reasoned and speaking order within a limited time frame.

3. Heard Ms.Shivani Jalali, learned counsel for the applicant and Mr.Amit Anand, learned AAG. for the respondents and perused the records.

3. Looking to the limited prayer made by the learned counsel for the applicant, the O.A. is disposed of with direction to the respondents No.1 and 2 to treat this O.A. as representation preferred by the applicant and take a decision on the same by passing a reasoned and speaking order within a period of four weeks from the date of receipt of a certified copy of this order.

4. It is made clear that I have not entered into the merits of the case.
5. No order as to costs.
6. MA/62/1555/2021 for Condonation of delay in filing the OA is also disposed of accordingly.



(RAKESH SAGAR JAIN)
MEMBER (J)

/kdr/