

**0CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/3280/2021

This the 28th day of April, 2021



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

Abdul Hamid, aged 36 years, S/o Mangta, R/o Ammrooi, Tehsil
Karnah, District Kupwara

.....Applicant

(Advocate:- Mr. Mohd. Saleem Mir)

Versus

1. State of Jammu & Kashmir through Commissioner/Secretary to Government, Rural Development & Panchayat Raj Department, Civil Secretariat, Srinagar/Jammu.
2. Director, Rural Development Department, Kashmir.
3. Deputy Commissioner, Kupwara.
4. District Project Officer, Kupwara.
5. Sub Divisional Magistrate, Tanghdar, Karnah.
6. Block Development Officer, Tanghdar, Karnah.
7. Block Development Officer, Tetwal, Karnah.

.....Respondents

(Advocate: Mr. Amit Gupta, Id. AAG)

ORDER
[O R A L]

(Delivered by Hon'ble Mr. Dinesh Sharma, Member-A)

Learned counsel for the petitioner submits that the petitioner has provided the land to the respondents for construction of Panchayat Ghars only on the assurance that he will be provided employment. It is further submitted that the petitioner has possesses relevant qualification for

engagement and thereto regularization but the respondents are not considering the case of the petitioner under SRO 520 of 2017.

2. Learned counsel for the petitioner further submits that the petitioner would be satisfied, in case, a direction is issued to the respondents to consider his representation dated 26.04.2019, which is still pending for adjudication in terms of SRO 520 of 2017 dated 21.12.2017.

3. We have heard Mr. Mohd. Saleem Mir, learned counsel for the applicants and Mr. Amit Gupta, ld. AAG for the respondents and perused the record.

4. The prayer in the TA is to direct the respondents for engagement and thereto regularize the applicant. We find it difficult to accede to such a request. As a matter of fact the Hon'ble Supreme Court deprecated the practice of issuing such direction. At the same time, if there exist any policy in the Government as regards dealing with the employees of this nature, the case of the applicant also need to be considered in accordance with rules. Beyond that, we cannot issue any direction.

5. We, therefore, dispose of the TA directing the respondents to consider the representation dated 26.04.2019 of the applicant, in terms of the existing policy and relevant schemes, if permissible under the rules, within a period of two months from the date of receipt of a certified copy of this order. It is made clear that we have not expressed any opinion on the merits of the case. There shall be no order as to costs.

(DINESH SHARMA)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

JNS

