

**Central Administrative Tribunal
Jammu Bench, Jammu**

O.A. No.480/2021

Monday, this the 10th day of May, 2021

(Through Video Conferencing)

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

Harifa Bano, aged about 45 years
w/o Abdul Rashid Sofi
r/o Gati Saloora Ganderbal
d/o Social Forestry Department
CAMPA Office Ganderbal

..Applicant

(Mr. Syeb Musaib, Advocate)

VERSUS

1. UT of J & K through Commissioner/Secretary to Govt.
Forest, Environment and Ecology Department,
Civil Secretariat, Jammu/Srinagar
2. Principal Chief Conservator Forest/Director
Social Forestry Department, Van Bhawan,
Gumat, Jammu
3. Regional Director
Social Forestry Department
Brien Nishat, Srinagar
4. Divisional Forest officer,
Social Forestry Department
Sonawar, Srinagar
5. Range Officer
Social Forestry Department
Ganderbal, Srinagar

..Respondents

(Mr. Amit Gupta, Additional Advocate General)



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

The applicant states that she was engaged by the respondents to do sweeping work in the office, in the year 2013 just on a payment of Rs.500/- per month. It is stated that when she insisted on payment of wages attached to that post, the respondents are preventing her from doing the work. In this background, she filed the instant O.A. with alternative prayers. The first is to direct the respondents to pay just remuneration to the applicant for the past and present services rendered by her in the Department. The alternative prayer is to direct the respondents to award the minimum wage @ Rs.225/- per day, which works out to Rs.6750/- per month for the period during which she worked. Reliance is also placed upon certain judgments rendered by the Hon'ble Supreme Court.

2. The respondents filed a detailed counter affidavit. It is stated that the applicant was required to do the stipulated work of cleaning two rooms when the office was functioning and that once the office was shifted to Range Office, the applicant was discontinued and that there is no obligation on their part to pay any amount or to continue her in service.

3. Today, we heard Mr. Syeb Musaib, learned counsel for applicant and Mr. Amit Gupta, learned Additional Advocate General.



4. The applicant seems to have been engaged for cleaning of rooms for a particular period. Obviously because of the limited nature of work she was offered and paid Rs.500/- per month. There is nothing on record to disclose the nature of appointment or the emoluments for the post. The plea of the respondents is that the applicant was discontinued once the office was shifted to the Range Office, stands un-rebutted. Though the applicant states that she is attending the office, there is nothing on record to substantiate that. The Tribunal cannot grant any relief when there is serious dispute about the basic facts of the case. There is totally uncertainty as to the period during which the applicant worked.

5. We do not find any merit in the T.A. It is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

May 10, 2021
/sunil/jyoti/dsn/