

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 62/575/2021

This the 06th day of April, 2021

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

Ajaz Ahmad Najar, age 49 years, S/o Mohammad Abdullah Nagar, R/o Lanura
Khansahib Budgam.

.....Applicant

(Advocate:- Mr. Bhat Fayaz Ahmad)

Versus

1. Union Territory of Jammu & Kashmir through Commissioner Secretary to
Government Education Department, Civil Sectt. Srinagar/Jammu-180001
2. Director School Education Kashmir, Srinagar-190001.
3. Chief Education Officer, District Budgam,-19111
4. Zonal Education Officer, Dreygam Budgam-191111.

.....Respondents

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

ORDER

[O R A L]

(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)

The applicant Ajaz Ahmad Nagar is aggrieved of the fact that the applicant despite being eligible for regularization, has not been regularized, as there are some cases pending against him. However, a clarification has been made by Respondent No. 2 and 3 which entitles applicant for regularization, but the ZEO concerned has not submitted the case of the applicant.

2. Learned counsel for the applicant submits that O.A. can be disposed of by directing the respondents to consider the case of the applicant for regularization within a stipulated time frame.



3. We have heard Mr. Bhat Fayaz Ahmad, learned counsel for the applicant and Mr. Sudesh Magotra, learned D.A.G for the respondents and perused the records.



4. The prayer in the O.A is to direct the respondents to regularize the services of 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 exists any policy in the Government as regards dealing with the employees of this nature, the case of the applicants also needs to be considered in accordance with rules. Beyond that, we cannot issue any direction.

4. We, therefore, dispose of the O.A directing the respondents to consider the cases of the applicant, in terms of the existing policy and relevant schemes governing regularization provided there is no stay in the matter, within a period of two weeks from the date of receipt of a certified copy of this order.

5. 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.

(TARUN SHRIDHAR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)