

Central Administrative Tribunal
Jammu Bench, Jammu

Hearing through video conferencing

Original Application No. 61/44/2023

This the 17th day of January, 2023

Hon'ble Mr. Suresh Kumar Monga, Member (J)



1. Mohd Shafi Age 48 years, Son of Abdul Gafar Sheikh, Resident of Ludna Gundna, Tehsil and District Doda-182202. Presently serving as Class-IV Nursing Orderly under Block Medical Officer, Ghat (Doda).

...Applicant

(Through Advocate: Mr. S M Wajahat)

Versus

1. UT of Jammu & Kashmir through Secretary, Health & Medical Education Department, Civil Sect. Jammu-180001.
2. Director Health Services, Jammu-180001.
3. Chief Medical Officer, Doda-182202.

...Respondents

(Through Advocate: Mr. Sudesh Magotra, Additional Advocate General)

ORDER

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 making therein a prayer for issuance of a direction to respondents to regularize his services as Nursing Orderly from the date his counterparts came to be regularized by way of an order dated 06.07.2012.

2. At the very outset, learned counsel for the applicant submitted that before filing the present Original Application, the applicant had submitted a representation (Annexure A-6) on which no decision has been taken by the respondents uptil now.



3. Contention of learned counsel for the applicant is that the applicant has a right to have considered his representation and he will be satisfied, if the present Original Application is disposed of with a direction to respondents to decide his pending representation within a time frame.

4. Keeping in view the aforestated limited prayer made by learned counsel for the applicant, I deem it appropriate to dispose of the present Original Application at the admission stage itself without entering into the merits of the case.

5. Accordingly, the Original Application is disposed of with a direction to Director, Health Services, Jammu (Respondent No. 2 herein) to decide the applicant's pending representation (Annexure A-6) and pass a reasoned and speaking order in accordance with law. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of six weeks from the date of receipt of a certified copy of this order.

6. Ordered accordingly.

7. However, there shall be no orders so as to costs.

(Suresh Kumar Monga)
Member (J)

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