

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

SWP No.2799/2002, MP No.2629/2002

Date of order:-29/09/2016

Behari Lal.	Vs.	State and ors.
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Coram:

Hon'ble Mr. Justice Ramalingam Sudhakar, Judge

Appearing counsel:

For the Petitioner/Appellant (s)	: Mr.KDS Kotwal, Advocate.
For the respondent(s) :	None

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| (a) | Whether approved for reporting in Net | : Yes/No. |
| (b) | Whether approved for reporting in Press/Media | : Yes/No. |
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1. This petition is of the year 2002 and at request of learned counsel for the petitioner, same is admitted to hearing and taken up for final disposal.
2. Petitioner claims to be appointed as a Casual Labour on 01.04.1991 in the Forest Department. Petitioner pleads that the wages have not been paid to him by the department after 1997 even though he has been working in the department as other regularly appointed employees till date. He further pleads that he has completed more than 7 years of service in the department as other regular employees and he is entitled to be regularized in terms of SRO 64 of 1994. Petitioner also relies upon the judgment passed by the Hon'ble Supreme Court in case titled State of Haryana Vs. Piara Singh and ors. AIR 1992 SC 2130.
3. Respondents have filed their counter affidavit. In the counter affidavit, the respondents have resisted the claim of petitioner on the ground that petitioner has not been engaged by them from 1993. The respondents further deposed that the name of petitioner does not figure in any of the list prepared by

them which was sent to the Higher Authorities pertaining to their regularization.

4. In such view of the matter, the writ petition is disposed of and the petitioner shall be at liberty to make a detailed representation along with copy of this order to respondents within two weeks and on such representation being made, the authority concerned shall accord consideration to the case of petitioner for his regularization on its own merits within four weeks thereafter.
5. Writ petition stands disposed of in the above terms.

(Ramalingam Sudhakar)
Judge

Jammu,
29.09.2016
Varun