

**HIGH COURT OF JAMMU AND KASHMIR**  
AT JAMMU

SWP No.70/2008, MP No.72/2008

Date of order:-29/09/2016

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Raj Kumar	Vs.	State and ors.
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**Coram:**

**Hon'ble Mr. Justice Ramalingam Sudhakar, Judge**

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**Appearing counsel:**

For the Petitioner/Appellant (s)	:	None.
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 2008.
  2. Petitioner claims to be appointed as Lineman (Daily Wager) in the year 1988. Petitioner states that on 24.07.2003, while performing his duties, he sustained grievous injuries. He claims to have suffered 40% disability and due to this, he is unable to perform his nature of job, i.e. lineman. The grievance of the petitioner is that he has rendered more than 20 years of service in the department and he has not been regularized by the respondents.
  3. Objections have been filed by the respondents. In the objections, the respondents have refuted the claim of petitioner on the ground that prior to the year 1998, the petitioner was never engaged as Daily Wager/Lineman in PDD. The petitioner was working as a Labourer only as and when required and paid on daily basis. The respondents further state that at the time of accident which took place in the year 2003, the petitioner was engaged as a Casual Labour in connection with LT extension wires for pump set from

the existing LT network of Village Sunjwan and he was not engaged as Lineman.

4. Be that as it may, since the petitioner has been performing his duties for a long number of years in different capacities either as a Daily Wager or a Lineman in the department, his claim should be considered for regularization in terms of appropriate SRO or the Rules governing the employment of Daily Wager who has put in long years of service. Much water has flown after year 2008 when the writ petition was filed, therefore, it will be appropriate that the claim of the petitioner should be considered afresh.
5. In such view of the matter, the writ petition is disposed of and the petitioner is directed to make a detailed representation along with copy of this order to respondents. On such representation being made, the authority concerned shall accord consideration to the case of petitioner for his regularization within four weeks thereafter on merits.
6. Writ petition stands disposed of in the above terms.

**(Ramalingam Sudhakar)**  
**Judge**

**Jammu,**  
29.09.2016  
Varun