



Government of Jammu & Kashmir (U.T)
Public Works (R&B) Department
Civil Secretariat, Jammu.

Subject:- SWP No. 1741/2015 MP No. 01/20145 regularization of Shri Manjeet Singh S/o Giani Isher Singh R/o Apartment 504, Tower Orchard, Ansal Grace, Sainik Colony, Jammu.

Government Order No. 187 -PW(R&B) of 2020

Dated: 26 .06.2020

Whereas, Shri Manjeet Singh, S/o Giani Isher Singh has filed the writ petition seeking his regularization as Executive Engineer (Mech) w.e.f April 2008 including his post retirement benefits; and

Whereas, the petitioner joined the Government services as Junior Engineer, promoted as Assistant Engineer and promoted / regularized as Assistant Executive Engineer (Mech) vide Government order No. 113-PW(R&B) of 2005 dated 30.03.2005 (w.e.f 01.05.1999); and

Whereas, the petitioner figured at S. No. 105 of the final Seniority list of Assistant Executive Engineers, notified vide Government Order No. 05-PW(R&B) of 2006 dated 04.01.2006; and

Whereas, the petitioner was placed as I/c Executive Engineer vide Government order no. 299-PW(R&B) of 2008 dated 16.04.2008; and

Whereas, the department mooted a proposal for regularization / promotion of Assistant Executive Engineer (Mech) to Executive Engineer (Mech) on substantive basis purely as per the seniority list notified vide aforementioned government order and some of the officers were recommended by the JKPS/DPC for regular promotion; and

Whereas the petitioner figured at S. No. 105, and was not considered due to non availability of the vacancy as his senior Mr. Samvit Ganjoo figuring at seniority No. 104 was regularized w.e.f 01.02.2011 against the vacancy caused due to retirement of Sh. A.K. Kapoor on 31.01.2011 and the next vacancy become available on 05.02.2011, due to demise of Late Shri Rakesh Mohan Koul; and

Whereas, the petitioner retired from the service on superannuation on 31.03.2010, i.e. much before the occurrence of the vacancy of Executive Engineer, as such, there was no vacancy available for his regularization as Executive Engineer (Mech) at the relevant point of time; and

Whereas, the SWP No. 1741/2015 filed by the petitioner came to be disposed off by the Hon'ble Court vide order dated 10.06.2015 with the directions that the writ petition be treated as representation of the petitioner after hearing/affording opportunity of being heard and be disposed off by passing a speaking order preferably within six weeks; and

Whereas, vide letter No. PW(R&B)/Legal/249/2015 dated 03.10.2016, the petitioner through Chief Engineer (MED) Jammu was requested to present himself before the department alongwith relevant record / document in support of his claim; and

Whereas, vide reminder / communication dated 14.12.2018, the petitioner was directed through medium of a final notice to appear personally before the Deputy Secretary (Law) PW(R&B) Department, failing which it shall be presumed that he has nothing to say in the matter and his claim shall be decided on the basis of relevant record available in the department; and

Whereas, the petitioner through his e-mail dated 11.03.2020 submitted the response which reads as under:-

"E-mail has been examined which elaborates his administration and personal connection, however without any detail to substantiate his claim."

Now, therefore, in compliance to directions of the Hon'ble High Court, examination of the official record and officer's representation sent through e-mail (in place against the opportunity of being heard), the case of the petitioner having been considered/examined, the same is found devoid of any merit.

By order of Government of Jammu and Kashmir.


Sd/-
(Shailendra Kumar) IAS,
Principal Secretary to Government

No. PW(R&B)Legal/249/2015

Dated: 26 .06.2020

Copy to the:

1. Joint Secretary, MHA(JK) Government of India.
2. Chief Engineer, Mechanical Engineering Department, Jammu.
3. Private Secretary to Principal Secretary to Government, PW(R&B) Department.
4. Mr. A. K Bhardwaj, Sr. Advocate High Court of Jammu and Kashmir at Jammu.
5. Shri Manjeet Singh S/o Gaini Isher Singh R/o Apartment 504, Tower Orchard, Ansal Grace, Sainik Colony, Jammu.
6. Government Order File/ Stock file.


(Rajnish Kumar), KAS
Additional Secretary to Government,
Public Works(R&B) Department