



Government of Jammu and Kashmir
Civil Secretariat; Social Welfare Department
Srinagar

Subject: OA Savita Rani V/ S UT of J&K Others.

Government Order No. 155JK (SWD) of 2020

Dated : 09.09.2020

Whereas, Ms. Savita Rani was appointed on adhoc basis as Craft Assistant (F) vide Govt. Order. 226-(SW) of 1991 dated 15.04.1991 for a period of six months or till selection was made by the Service Selection Board.

Whereas, the said adhoc appointment of Ms. Savita Rani was extended vide Govt. Order No's 376-SW of 1991 dated 30.10.1991 and Govt. Order No. 124-SW of 1992 dated 29.04.1992.

Whereas, the then District Social Welfare Officer, Kathua vide letter No. SWK/Estt/92-93/1150-554 dated 18.08.1992 discontinued the services of Ms. Savita Rani.

Whereas, Ms. Savita Rani filed a writ petition before the Hon'ble High Court bearing SWP No. 794/92. The Hon'ble High Court issued stay order against the termination of the petitioner from Government services in the interest of natural justice.

Whereas, the Hon'ble High Court while disposing off the writ petition bearing SWP No.794/92 on 14.12.1994 with the directions, that till the post of Craft Assistant (F) was filled or till the selection was made, the appointment of the petitioner shall be allowed to continue on the said post.

Whereas, in the year 2014, services of petitioner among others were regularized vide Govt. Order No.129-SWD of 2014 dated 2.6.2014.

Whereas, after six years Ms. Savita Rani has filed OA before the Central Administrative Tribunal Jammu Bench seeking directions for according the benefits of retrospective regularization on the same analogy as has been accorded to Sh. Krishan Chand in terms of Govt. Order No. 75-DSWJ of 2019 dated 05.03.2019.

Whereas, Sh. Krishan Chand was appointed as Craft Assistant on temporary basis and his service was also regularized vide Govt. Order No.129-SWD of 2014 dated 2.6.2014.

Whereas, Sh. Krishan Chand challenged the Govt. Order No. 129-SWD of 2014 dated 02.06.2014 before the Hon'ble High Court in SWP No. 2162/2014 titled Krishan Chand Vs State & Others.

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Whereas, after the directions of Hon'ble High Court in its order dated 18.12.2017, the services of the petitioner Sh. Krishan Chand were regularized from the date, the services of Smt. Sishna Devi, Craft Teacher, have been regularized vide Govt. Order No. 75-DSWJ of 2019 dated 05.03.2019 and in the said Govt. Order, it has been mentioned that this order should not be a precedence for others as the same has been issued as one time exception in compliance to Hon'ble High Court directions.

Now, therefore, claim of the petitioner has been examined and considered in terms of rules in vogue and in compliance of the order dated 17.06.2020 passed by Central Administrative Tribunal Jammu Bench, Jammu in Dy. No. 061/54/2020 titled OA Savita Rani V/S UT of J&K & Others. The claim of the petitioner has been found devoid of any merit, hence cannot be considered for according benefits of retrospective regularization under rules in vogue.


By order of the Government of Jammu and Kashmir.

Sd/-
(Shailendra Kumar)IAS
Principal Secretary to the Government
Social Welfare Department
Dated 09.09.2020

No: SW/Lit/86/2020

Copy to the:-

1. Joint Secretary (J&K) Ministry of Home Affairs, Government of India
2. Commissioner/Secretary to the Government, General Administration Department.
3. Additional Advocate General, J&K, High Court.
4. Mission Director (ICDS) J&K, Jammu.
5. Director General, Social Welfare, Jammu.
6. OSD to Hon'ble Advisor (F), in-charge Social Welfare Department.
7. Pvt. Secretary to Principal Secretary to the Government, Social Welfare Department.
8. Concerned official.
- ✓ 9. Official Website Incharge.
10. Government Order file/ Stock file (w.2.s.c)


09.9.2020
(Rehmatullah)
Under Secretary to Government,
Social Welfare Department.

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