

**DIRECTORATE OF HEALTH SERVICES,  
JAMMU DIVISION**

(Near MLA Hostel, Jammu (J&K) PIN 180001  
E-mail: dhshjammu@rediffmail.com  
Ph 0191-2546338, 2549632 Fax: 0191-2549632

Subject:-WP(C) No.3293/2019 titled Bimla Vs State & Ors.

**ORDER**

Whereas, the petitioner has filed the above titled writ petition in the Hon'ble High Court of J&K at Jammu seeking directions to the respondent department to regularize the services of the petitioner w.e.f. the date petitioner has completed her 7 years of services on the analogy of the judgment dated 20-11-2016 passed by this Hon'ble Court in SWP No:-1190/2014 titled Phulail Chand Vs State of J&K and others, and;

Whereas, the Hon'ble High Court of J&K at Jammu has disposed of the above titled writ petition vide judgment/order dated 13-09-2019 whose operative portion reads as under:-

*"This writ petition is disposed of with a direction to the respondents to consider the case of the petitioner on the analogy of Phulail Chand, who has been regularized vide order dated 07-01-2019 in case the petitioner is similarly situate. The same shall be done expeditiously, preferably within a period of two months from the date of receipt of certified copy of this order. It is, however, made clear that none of the rights of the petitioner have been determined in the present writ petition on merits."*

Whereas, the case of the petitioner has been examined in light of record in this office and found that the petitioner had been engaged as contingent paid whole time safaiwala and her salary was being drawn from contingency funds "Outsource of upkeep", and;

Whereas, on the contrary, Sh. Phulail Chand, whose analogy has been sought by the petitioner in the writ petition, was appointed on Adhoc Basis as Safaiwala against clear vacancy and his salary was drawn from salary head. Therefore, the petitioner and Sh. Phulail Chand are not similarly situated in terms of their basic engagement in the department.


Therefore, in compliance to judgment/order dated 13-09-2019 of the Hon'ble Court, the case of the petitioner has been considered and found devoid of merit hence rejected.

Sd/-  
(Dr. Renu Sharma)  
Director Health Services  
Jammu

No:-DHSJ/Legal/2312-16  
Copy to the:-

Dated: - 25/11/2019

1. Financial Commissioner to Govt., Health and Medical Education Department, Civil Secretariat, Jammu for information.
2. Chief Medical Officer, Jammu for information.
3. Block Medical Officer, R.S.Pura for information.
4. Bimla W/O Aisak Masih R/O Chakrohi, Tehsil R.S.Pura, District Jammu.
5. Establishment Section-5.

  
(Dr. Syed Tasneema Bano)  
Dy. Director Health Services (Sch)  
Jammu 