

Central Administrative Tribunal Jammu Bench, Jammu

Hearing through video conferencing

O.A. No.30/2020

Monday, this the 15th day of June, 2020

Hon'ble Dr. Bhagwan Sahai, Member (A)
Hon'ble Mr. Rakesh Sagar Jain, Member (J)

Dr. Jan Sarfaraz Nawaz, aged 36 years
S/o Gh. Mohd Shah
R/o Kamad Dialgam Anantnag

..Applicant

(Mr. Mudasir Bin Hassan, Advocate)

Versus

1. Union Territory of J & K through its
Commissioner cum Secretary to Govt. Health
And Medical Education Department Civil
Secretariat Srinagar / Jammu
 2. Director Health Services Kashmir Division, Srinagar
 3. Principal Government Medical College Anantnag
- ..Respondents
(Mr. Amit Gupta, Additional Advocate General)

O R D E R (ORAL)

Per Dr. Bhagwan Sahai, Member (A) :

The case of the applicant, Dr. Jan Sarfaraz Nawaz, is that he was appointed as Medical Officer in the respondent department on 29.05.2018. In terms of the interview notification dated 14.05.2020 issued by the respondent No.3 for the tenure posts of Senior Residents / Registrars in Medical

College, Anantnag, the applicant appeared and has been selected as Registrar in the said Medical College, Anantnag. It is the further case of the applicant that, as per, condition of order issued by respondent No.3, he is to join the said post within seven days, but that the respondent No.2 has not, till date, relieved the applicant, so as to enable him to join his posting in Medical College, Anantnag. Even the representation filed by the applicant seeking his relieving order has not been disposed of by the respondents.

Hence, the present O.A. to direct the respondent Nos. 1 & 2 to relieve the applicant, so as to enable him to join as Registrar in Medical College, Anantnag, and also direct the respondent Nos. 1 & 2 to issue 'No Objection Certificate' to enable him to undergo Registrarship in the Government Medical College, Anantnag, with a further direction to respondent No.3 to allow him to join the selected post of Registrar till he is properly relieved by respondent Nos. 1 & 2.

2. We have heard and considered the arguments of learned counsel for the parties and gone through the material on record.

3. In view of the facts and circumstances of the case, we direct respondent No.2 to consider and dispose of the representation dated 08.06.2020 (Annexure A-2) filed by the applicant within seven days from today, i.e., 15.06.2020 by way

of reasoned and speaking order, with intimation to the applicant by way of email or any other digital / electronic mode on the date of disposal of representation itself. It may be noted that the parties filing the O.A. in the Tribunal have given their electronic/digital address in their pleadings. In any case, the learned AAG for the respondents would inform the concerned respondents about the electronic address of the applicant. In case the representation is accepted by the respondent No.2 and he is given the 'No Objection Certificate' to join the post of Registrar in the Medical College, Anantnag, the period of joining shall be deemed to be extended by one week from the date of disposal of the representation, as mentioned above.

4. O.A. is accordingly disposed of. Office is directed to give the copy of this order to the learned AAG today itself. Learned AAG would inform the respondents about the directions given in this order.

No costs.

(Rakesh Sagar Jain)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

June 15, 2020
/sunil/