



**Central Administrative Tribunal  
Jammu Bench, Jammu**

Hearing through video conferencing

**O.A. No.61/104/2021**

This the 27<sup>th</sup> day January, 2021

**Hon'ble Mr. Rakesh Sagar Jain, Member (J)**  
**Hon'ble Mr. Anand Mathur, Member (A)**

Aftab Ahmad Bhat, age 53 years  
S/o Late Mohammad Ashraf Bhat,  
R/o Gulab Bagh Hazratbal Srinagar.

.....Applicant

**(Mr. Bhat Fayaz Ahmad, Advocate)**

**Versus.**

1. Union Territory of Jammu & Kashmir  
Through Chief Secretary, Home Department, J&K  
Govt. Civil Sectt., Srinagar/Jammu.  
Email ID: [home-jk@nic.in](mailto:home-jk@nic.in)  
PIN Code: 180001.

2. Director General of Police, J&K Police,  
Headquarters, Srinagar/Jammu  
Email ID : [jcpolice.gov.nic.in](mailto:jcpolice.gov.nic.in)  
Pincode 180001.

**....Official respondents.**

3. Mr. Imtiyaz Ahmad Dar, Inspector, Police  
Department, NGZO No.4521-180001.

4. Mr.Aijaz Ahmad Bhat, Inspector, Police  
Department , NGO No.5422. 180001.

5. Sandeep Kaur, Inspector, Police  
Department, NGO NO.4540.180001.
6. PSI Rajni Sharma, Inspector Police  
Department, NGO NO.4367. 180001.  
C/o Director General of Police J&K Govt.  
Srinagar/Jammu.180001.

..... Pvt. Respondents

**(Mr.Amit Gupta, Additional Advocate General)**

### **ORDER (ORAL)**

**Hon'ble Mr. Rakesh Sagar Jain, Member (J)**

OA has been filed by the applicant seeking the following relief:-

“7.1) *An order or direction, directing the respondents to grant promotion to the applicant w.e.f. 24.11.1998 on the basis of citation and on the analogy of Inspector Abdul Khalid Khan who has been granted promotion vide Govt. Order No.1933 of 2016 dated 25.06.2016.*

7.2). *An order or direction, directing the respondents to extend the benefit of judgment passed by the Hon'ble High Court vide judgment dated 01.07.2014 in case titled Abdul Khalid versus State and others bearing SWP No.1493/2009 read with judgment dated 07.05.2016 passed in SWP No.320/2015 titled Abdul Khalid Khan versus State and others or the Hon'ble Court may dispose of the OA in light of order dated 25.11.2020 passed in O.A.No.104/2020 titled Nissar Ahmad Mir versus UT of J&K and others.*

7.3). *An order of direction, directing the respondents to explain that why out of turn promotion on the basis of citation made in favour of the applicant has not been granted.*

7.4). *Any other order or direction which the Hon'ble Court may deem fit and proper in the given facts and circumstances of this case may also be issued in favour of the applicant and against the respondent the same would be in consonance with the law and justice."*

2. Heard Mr. Bhat Fayaz Ahmad, Learned Counsel for the applicant and Mr. Amit Gupta, Learned Additional Advocate General.

3. During the course of hearing, learned counsel for the applicant submits that OA can be disposed of by directing the respondents to consider his case for retrospective promotion by taking into account the judgement of the Hon'ble Hon'ble High Court dated 01.07.2014 in the case of Abdul Khalid Versus State and Ors in SWP No. 1493/2009 read with judgment dated 07.05.2016 passed in SWP No. 320/2015 in the case of Abdul Khalid Khan versus State and Ors.

4. In view of the submissions made by learned counsel for the applicant, OA is accordingly disposed of by directing the respondents to consider the case of applicant for retrospective promotion in accordance with law governing the said plea within a period of two months from the date of receipt of copy of this order by passing a reasoned and speaking order with intimation to the applicant.

5. It is made clear that we have not commented anything on the merits of the case.

6. The OA is accordingly disposed of. There shall be no order to costs.

**(Anand Mathur)**  
**Member (A)**

**(Rakesh Sagar Jain)**  
**Member (J)**

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