



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.935/2020
(S.W.P. No.2777/2002)

Thursday, this the 10th day of December, 2020

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)**

Sh. Madan Mohan Sharma, age 52 years, S/o Sh. Vishno Dutt, R/o H. No.208 Mastgarh Jammu at present posted as Project Officer, MFP Project Kalakot HQ Sunderbani.

...Applicant
(Mr. Gaurav, Advocate for Mr. O P Thakur, Advocate)

Versus

1. State of J&K through Commissioner-Secretary Forest Department Civil Secretariat, Jammu.
2. Principal Chief Conservator Forest J&K Govt, Van Bhawan Jammu.
3. Mohd Sidiq Rather Assistant Conservator Forest (Research) C/o Directorate Environment and Remote Sensing Srinagar.
4. Sh. P.N. Pandita Assistant Conservator Forest (Research) at present posted as Project Officer, N.D.F.P. Project Leh.
5. Altaf-ur-Rehman, Assistant Conservator Forest (Research) at present posted as Divisional Forest Officer, Bandipur.
6. Sh. Ghulam Ahmed Malik Assistant Conservator Forest (Research) at present Divisional Forest Officer and publicity Srinagar.

...Respondents
(Mr. Sudesh Magotra, Deputy Advocate General)

OR D E R (ORAL)



Mr. Justice L. Narasimha Reddy:

The applicant was working as Project Officer in the Forest Department of Jammu & Kashmir. Through order dated 24.12.2002, the Government placed the respondent Nos. 4 to 6 above the applicant in the seniority list and promoted them to the post of Deputy Conservator of Forest. Earlier to that, the respondent Nos. 3 to 6 were promoted as Assistant Conservator of Forest on 01.11.1995. The applicant filed S.W.P. No.2777/2002 before the Hon'ble High Court of Jammu & Kashmir at Jammu, for a writ of *quo warranto* against the respondents 3 to 6.

2. The respondents have also entered appearance and filed reply. No interim order was passed by the Hon'ble High Court in S.W.P. In view of re-organization of the State of Jammu & Kashmir, the S.W.P. has been transferred to this Tribunal and renumbered as T.A. No.935/2020.

3. Today, we heard Mr. Gaurav Arora, learned counsel appearing on behalf of Mr. O P Thakur, learned counsel for the Applicnat, and Mr. Sudesh Magotra, learned Deputy Advocate General, for the Respondents, through video conferencing.



4. The grievance of the applicant was that through an order dated 01.11.1995, the respondent Nos. 3 to 6 were appointed as Assistant Conservator of Forest. The S.W.P. was filed seven years after such appointment. Added to that, the respondent Nos. 3 to 6 were promoted to the post of Deputy Conservator of Forest on 08.01.2003. Record discloses that the applicant herein has retired from service and so are the respondent Nos. 3 to 6. At this length of time, the question of granting any relief does not arise.

5. The T.A. has become infructuous and accordingly, it is dismissed. There shall be no order as to costs.

(A K Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

December 10, 2020

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