

**CENTRAL ADMINISTRATIVE TRIBUNAL,**  
**JAMMU BENCH, JAMMU**

**Hearing through video conferencing**

**T.A No. 62/1168/2020**  
**(SWP.No.71/2019)**

**Tuesday, this the 27<sup>th</sup> day of October, 2020**

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

Zahoor Ahmad Mugloo, aged 51 years, S/o. Ghulam Ahmad Mugloo,  
R/o. Kanir, Chadoora, District Budgam.

..... **Applicant**

**(By Advocate : Mr. M.M. Dar)**

**V e r s u s**

1. State of Jammu & Kashmir, through Commissioner/Secretary to Government, Health & Medical Education Department, Civil Secretariat, Srinagar/Jammu.
2. Director, Health Services Kashmir, Srinagar.
3. Chief Medical Officer, Budgam.
4. Block Medical Officer, Nagam.
5. Zonal Medical Officer, PHC Haproo, Batpora, Budgam.

..... **Respondents**

**(By Advocate : Mr. Amit Gupta, AAG)**

**ORDER (Oral)**

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman -**

The applicant is working as Junior Pharmacist and was attached to the Director of Health Services, Kashmir-Srinagar. Through an order dated 03.01.2019, the Chief Medical Officer, Budgam, posted one Mr.Muzaffar Jan Qadri to work as Supervisor Pharmacist at PHC, Haproo. Consequential order was issued by Block Medical Officer, Nagam on 10.01.2019, directing that the applicant shall be attached to Sub-Centre, Kutbal, for further duties, till further orders.

2. The applicant felt aggrieved by the same and filed SWP.No.71/2019 in the Hon'ble High Court of Jammu & Kashmir, challenging the order dated 10.01.2019. His grievance was that there did not exist any sanctioned post at Kutbal, and he was put to hardship. On 17.10.2019, the Hon'ble High Court of Jammu & Kashmir passed a detailed order directing that the applicant shall be allowed to work as Junior Pharmacist at PHC, Haproo, provided that there is no specific order or direction from the Director Health Services, Kashmir-Srinagar, in that behalf. Liberty was also given to the Director of Health Services, Kashmir-Srinagar, to post the applicant appropriately in the interest of administration.

3. The Writ Petition has since been transferred to this Tribunal on account of the re-organization of the State, and re-numbered as TA.No.1168/2020.

4. We heard Sri M.M.Dar, learned counsel for the Applicant and Mr.Amit Gupta, learned Addl. Advocate General, for the Respondents.

5. From the Writ Petition, it is evident that the grievance of the applicant was not much about being required to work at Sub-Centre, Kutbal. It was only about the availability of sanctioned post. The Hon'ble High Court passed a detailed order as regards working of the applicant and has given opportunity to the respondents to issue necessary orders of posting. That order is in force for the past one year and 10 months. It is not known as to whether the respondents have since made any re-arrangement or posting.

6. On instructions, the learned counsel for the Respondents submits that there exists a sanctioned post at the place to which the applicant was transferred.

7. Be that as it may, we dispose of this OA in terms of the order passed by the Hon'ble High Court of Jammu & Kashmir, on 17.10.2019. There shall be no order as to costs.

**(MOHD. JAMSHED)**  
**MEMBER (A)**

**(JUSTICE L. NARASIMHA REDDY)**  
**CHAIRMAN**

