

# **Central Administrative Tribunal Jammu Bench, Jammu**

T.A. No.62/1359/2020  
(SWP.No.1172/2012)

Wednesday, this the 28<sup>th</sup> day of October, 2020

(Through Video Conferencing)

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

Wahid Ali, S/o. Ali Mohammad Sodagar,  
R/o. Anantnag, Kashmir, aged 44 years.

.....Applicant

(Advocate: Mr. Jahangir Iqbal Ganai)

**Versus**

1. State of Jammu and Kashmir, through Principal Secretary to Government, Housing & Urban Development Department, Civil Secretariat, Srinagar.
2. Srinagar Development Authority, through its Secretary, Bemina Srinagar.
3. Vice Chairman, Srinagar Development Authority, Bemina, Srinagar.

.....Respondents

(Advocate:- Mr. Rajesh Thapa, DAG)

**O R D E R (ORAL)**

**Justice L. Narasimha Reddy:**

Through an order dated 24.08.2011, the Principal Secretary to Government, Housing Urban Development Authority, transferred the applicant and two others Assistant Engineers (AEs), Srinagar Development Authority to Urban Local Bodies, Kashmir. Challenging the same, the applicant was SWP.No.1172 of 2012. A order of status quo was passed on 06.06.2012. In view of the re-organization of the State of Jammu & Kashmir, the SWP has been transferred to this Tribunal and has been renumbered as TA.No.1359 of 2020.

2. Today, when the case is listed for hearing, there is no representation on behalf of the applicant.

3. We heard Sri Rajesh Thappa, learned Deputy Advocate General for the Respondents.

4. The applicant is basically in the cadre of Urban Local Bodies. He and two others were working as AEs in the Srinagar Development Authority, on deputation or similar arrangements. Through the impugned order, the applicant was sent to his parent department. The grievance of the applicant was that he was expecting some designation within the Srinagar Development Authority.

5. The impugned order is dated 24.08.2011. The order of status quo passed by the Hon'ble High Court was on 06.06.2012 i.e., nearly 10 months after the impugned order was passed. It is difficult to expect that the applicant remained in the Srinagar Development Authority by the time the Hon'ble High Court passed the order of status quo. At any rate, 9 years have elapsed since the impugned order was passed. Even if the applicant was continuing in the Srinagar Development Authority, the authorities need to consider the matter afresh and take appropriate decision. If, on the other hand, he is working in the Urban Local Bodies Department, nothing needs to be done.

6. The TA is accordingly closed. There shall be no orders as to costs.

**( Mohd.Jamshed )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

**October 28, 2020**

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