

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 62/270/2021

This the 19th day of February, 2021

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)

Fayaz Ahmed Bhat, S/o Ghulam Nabi Bhat, R/o Safapora, Tehsil Lar, District Ganderbal-193 504.

.....Applicant

(Advocate:- Mr. Z.A. Qureshi, Sr. Advocate assisted by Ms. Rehana Fayaz)

Versus

1. Union Territory of Jammu and Kashmir through Commissioner/Secretary to Govt General Administration Department, Civil Secretariat, Srinagar/Jammu-190001
2. Financial Commissioner, Finance Department, Government of Jammu and Kashmir, Civil Secretariat, Srinagar/Jammu-190001
3. Principal Secretary to Government, Power Development Department, Civil Secretariat, Srinagar/Jammu-190001
4. Director General Accounts & Treasuries Finance Department Civil Secretariat, Srinagar/Jammu-190001

.....Respondents

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

**ORDER
[ORAL]**

(Delivered by Hon'ble Mr. Anand Mathur, Member-A)

Learned counsel for the applicant submits that the applicant while working as Assistant Accounts Officer in PMGSY Division Bandipora was arrested and was subsequently placed under suspension vide order dated 14.09.2018 w.e.f., 01.08.2018 in terms of Rule 31(2) of J&K Civil Services (Classification, Control and Appeal) Rules, 1956 and was attached in the Office of Treasury Officer, District Treasury Ganderbal, for drawal of subsistence allowance. The case of the applicant was placed before the Review Committee on 22.04.2019 and on recommendation of the Review Committee vide order dated 04.07.2019 the applicant was reinstated and posted in the Office of the CP&AO USHP Stage-II Kangan. However, to the utter surprise of the applicant, he alongwith 12



other officials were again placed under suspension in connection with same FIR vide order dated 30.12.2020. Hence, the present O.A.



2. Learned counsel for the applicant further submits that the applicant would be satisfied, if a direction is issued by this Tribunal to the respondents to reconsider the case of the applicant for reinstatement into service and to pay him all the benefits such as salary, arrears of salary promotion etc.

3. We have heard Mr. Z A Qureshi, Sr. Advocate assisted by Ms. Rehana Fayaz and Mr. Amit Gupta, Additional Advocate General.

4. In view of the limited prayer made by the learned counsel for the applicant, we dispose of the O.A. with direction to the respondents to reconsider the case of the applicant herein and take a decision with regard to his reinstatement into service and payment of all the dues such as salary, arrears of salary etc to the applicant as per rules within a period of three weeks from the date of receipt of certified copy of this order. While taking a decision in the matter of the applicant, the respondents would take into consideration the averments made in the O.A.

5. It is made clear that we have not entered into the merits of the case.

6. There shall be no order as to costs.

(ANAND MATHUR)
MEMBER (A)

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(RAKESH SAGAR JAIN)
MEMBER (J)