



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

T.A. No.62/2221/2020  
(S.W.P. No.1893/2011)

Thursday, this the 10<sup>th</sup> day of December, 2020

**(Through Video Conferencing)**

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

Kunzang Dolma. Aged about 34 years, D/o Tundup Sonam, R/o Sakiti Leh Ladakh.

...Applicant

(Mr. Sajad A. Geelani, Advocate)

Versus

1. Principal Secretary to Govt. Ladakh Affairs Department, Civil Secretariat Srinagar.
2. State of J&K through Commissioner-Secretary to Govt; Tourism & Culture Department, Civil Secretariat, Srinagar/Jammu.
3. Deputy Commissioner/CEO, LAHDC, Leh. Ladakh
4. Kunzang Dolma, D/o Sonam Shakya, R/o Basgo, Leh.

...Respondents

(Mr. Rajesh Thapa, Deputy Advocate General)

## O R D E R (ORAL)



### **Mr. Justice L. Narasimha Reddy:**

The applicant states that she was working as Junior Assistant in the Tourism Department at Leh. It is also stated that she was waiting for permanent absorption on that post. However, the respondent No.2, i.e., the Commissioner – Secretary to Government, Tourism & Culture Department, through order dated 21.07.2011, promoted the respondent No.4 (same name as applicant) to the post of Junior Assistant and posted here in the Tourism Development office at Leh. The applicant contends that when she was working against that very post and was waiting for absorption, the impugned order ought not to have been passed. She filed S.W.P. No.1893/2011 before Hon'ble High Court of Jammu & Kashmir at Jammu by raising several contentions. The Hon'ble High Court was pleased to grant the interim order dated 02.09.2011. 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.2221/2020.

2. Today, we heard Mr. Sajad A. Geelani, learned counsel for applicant and Mr. Rajesh Thapa, learned Deputy Advocate General, for the Respondents, through video conferencing.



3. The applicant was waiting to be absorbed on permanent basis on the post of Junior Assistant in the respondent No.2 organization. The respondent No.4 was promoted and posted against the said post of Junior Assistant. It is not known whether there exist two posts of that cadre at Leh. The Hon'ble High Court was pleased to pass an interim order. Nine years have elapsed since then. The record does not disclose as to whether the applicant has been absorbed or whether she has earned other positions. In case there exists any further grievance, the applicant can make a representation in that behalf.

4. We, therefore, dispose of the O.A. directing :

- (a) The promotion and posting of the respondent No.4 will not be prejudicial to the rights of the applicant; and
- (b) If the applicant has any substantial grievance, it would be open to her to make a representation, which shall be dealt with by the concerned respondents, on its own merits.

There shall be no order as to costs.

**( A K Bishnoi )**  
**Member (A)**

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

**December 10, 2020**

/sunil/dsn/sd/arun