

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

T.A. No.62/2566/2020  
(SWP.No.1629/2016)

Dated this the 27<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)**

Imtiyaz ahmad Quddusi, S/o. Late Habib-ullah Quddusi,  
R/o Nageen, Srinagar, Age 52 years.

..... **Applicant**

**(By Advocate : Ms. Asma Rashid – Not present)**

**V e r s u s**

1. State of J&K through Commissioner/Secretary to Government,  
Public Health Engineering/Irrigation & Flood Control Department,  
Civil Secretariat, Srinagar.
2. Chief Engineer, Public Health Engineering Department,  
Kashmir, Srinagar.
3. Executive Engineer, Hydraulic Circle, Budgam.
4. Executive Engineer, Hydraulic Circle, Srinagar/  
Ganderbal (HQ) Srinagar.
5. Sheikh Imtiyaz Ali, Junior Engineer, Water  
Works Division, Srinagar, C/o. Chief Engineer,  
Public Health Engineering Department,  
Kashmir, Srinagar.

..... **Respondents**

**(By Advocate : Mr. Sudesh Mogtra, DAG)**

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

**Justice L. Narasimha Reddy:**

The applicant was working as Junior Engineer (Civil) in the PHE Department of Srinagar, Govt. of Jammu & Kashmir. Through an order dated 20.10.2016, the Chief Engineer of the Department, transferred the applicant from Budgam Division to the Water Works Division of Srinagar. He filed SWP.No.1629/2016, challenging the order of transfer. Reference was made to the disciplinary proceedings. Several grounds were urged and reliance were placed on certain orders of the Government.

2. While issuing notice to the respondents on 26.10.2016, the Hon'ble High Court directed maintenance of status quo till the next date of hearing. However, it is was not extended thereafter. The Writ Petition has since been transferred to the Tribunal on account of re-organization of the State of Jammu & Kashmir into Union Territory.

3. Today, the matter is listed before us. There is no representation on behalf of the Applicant. We heard Mr.Sudesh Magotra, learned Dy. Advocate General for the Respondents.

4. The order of transfer dated 20.10.2016, was challenged in the Writ Petition. An interim order was passed on 26.10.2016. It is not known as to whether the said arrangement continued beyond the next date of hearing. Assuming that it remained so, nearly 4 years have elapsed and for all practical purposes the order of transfer vis-a-vis the application has

become redundant. The respondents need to have a fresh look into the matter pertaining to the posting of the applicant.

5. We therefore dispose of the TA leaving it open to the respondents to pass fresh orders as regards the posting of the applicant in accordance with law. There shall be no orders as to costs.

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

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

**October 27, 2020**

dsn