



**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A./62/2613/2020 (SWP.No.1672/2016)

This the 15th day of December, 2020

**HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN
HON'BLE MR. MOHD JAMSHED, MEMBER (A)**

Dr. Mohammad Hussain, S/o Mohammad Sidiq Presently consultant
Radiologist Govt. G B Panth Age: 51 years.

.....Applicant

(Advocate: Sheikh Firoz Ahmad-**Not Present**)

Versus

1. State of Jammu and Kashmir through Commissioner/Secretary to Govt. Health and Medical Education Department, Civil Secretariat Srinagar/Jammu.
2. Director Health Services Kashmir, Srinagar.
3. Principal Government Medical College Associated Hospitals, Srinagar.
4. Medical Superintendent District Hospital, Kargil.

.....Respondents

(Advocate:- Mr. Sudesh Magotra, 1d Deputy Advocate General)

ORDER
[O R A L]

Justice L. Narasimha Reddy, Chairman: -

The applicant is working as a Doctor in the Medical Health and Medical Education Department of Government of Jammu & Kashmir. Through an order dated 08.07.2016, he was transferred from G.B.Pant Hospital, Srinagar, to District Hospital, Kargil.

2. The applicant filed SWP.No.1672/2016 before the Hon'ble High Court of Jammu & Kashmir, challenging the order of transfer. He pleaded that he is suffering from severe ailments and it is difficult for him to work at Kargil. An interim order was passed by the Hon'ble High Court enabling the applicant to remain at the same place.

3. The Writ Petition has since been transferred to this Tribunal in view of reorganization of the State of Jammu & Kashmir and renumbered as TA.No.2613/2020.

4. There is no representation on behalf of the applicant. We heard Mr.Sudesh Magotra, learned Dy. Advocate General, for the respondents.

5. It is rather unfortunate that the applicant, who is a doctor and Consultant Radiologist, and who is expected to be useful in treatment for

others, is himself complaining as though he is a chronic patient. The sole object is to ensure that he remains at Srinagar.

6. 04 years have elapsed ever since an interim order was passed. The situation cannot remain the same.

7. We, therefore, dispose of the TA leaving it open to the respondents to pass fresh orders as regards the posting of the applicant. The interim order shall stand vacated. There shall be no order as to costs.

(MOHD JAMSHED)
MEMBER (A)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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