

CENTRAL ADMINISTRATIVE TRIBUNAL

JAMMU BENCH JAMMU

Dated: This 29th day of June 2020

HON'BLE Dr. BHAGWAN, MEMBER – A

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER – J

Dy. No. 62/157/2020 (O.A. No. 062/00209/2020)

1. Hilal Ahmad Bhat s/o Gh. Ahmad Bhat r/o New Airport Road, Hyderpora (Srinagar) -190014.
2. Mr. Masrat Ahmad s/o Ghulam Ahmad Mir r/o Mohammadia Colony, Near Hariparbat, Srinagar.
3. Tiyar Ahmad Khan s/o Naseer Ahmad Khan r/o Bagna Boniyar, Baramulla-193122.
4. Prince Zahoor Ahmad Lone s/o Ghulam Mohi-ud-Din Lone r/o Zaloora Bomia Zaingeer Sopore.
5. Imran Mohammad Sofi s/o Mohammad Subhan Sofi r/o Baghi Nand Singh, Chhatabal, Srinagar.
6. Azaz Ahmad Bhat s/o Gh. Mohi-ud-Din Bhagar r/o Herpora Handwara.
7. Seema Ansari d/o Mohammad Lateef Ansari r/o Alamdar Housing Colony, Bemina Srinagar.
8. Peerzanda Anis-ur-Rehman s/o Ghulam Mohi-ud-Din r/o Loktipora Bijbehara Anantnag.
9. Firdous Ahmad Rather s/o Ghulam Nabi Raher r/o Methan Chanpora Srinagar.
10. Amjad Ahmad Haji s/o Mohammad Ismail Haji r/o Lajura Kanjipora Pulwama.
11. Raashid Khaliq Tantray s/o Abdul Khaliq Tantray r/o Gund Brath, Sopore.
12. Bilal Ahmad Rather s/o Gh. Nabi Rather r/o Frisal Kulgam.
13. Parvez Ahmad Wani s/o Mohammad Ashraf Wani r/o Malik Gund Shopian.
14. Bilal Ahmad Malik s/o Mohammad Yousuf Malik r/o Khull Noorabad, Kulgam.
15. Attaullah Rahman Parrey s/o Abdul Rehman Parrey r/o Akbara Nowpora Kulgam.
16. Zubaida Gani d/o Abdul Gani Bhat r/o Pinglana Pulwana.
17. Gowsia Akhter d/o Rashid Ahmad Parrey r/o Dialgam Anantnag.
18. Wazira Akhter d/o Mohammad Qasim Shah r/o Dooru Shahbad Anantnag.
19. Taja Bano d/o Abdul Razak Dar r/o Goglam Pattan, Baramulla.
20. Rehana Rashid d/o Ab. Rashid Bhat r/o Chandrigam Tral (Pulwama).
21. Yasmeen Jan d/o Abdul Gani Bhat r/o Dadsara, Tral (Pulwama).
22. Rifat Rasool d/o Gh. Rasool Bhat r/o Soura, Srinagar.
23. Ovais Ahmad Pandit s/o Ab. Rashid Pandit r/o Beeru Budgam.
24. Nighat Naseem d/o Abdul Gani Bhat r/o Kharbari Budgam.
25. Firdousa Akhter d/o Abdul Salam Wani, r/o Wanigund Quimoh, Kulgam.
26. Farida Akhter d/o Abdul Rahim Dar, r/o Wanidina Meilar Shopian.
27. Masood Ahmad Magray s/o Abdul Rashid Magray r/o Darhama, Tangmarg (Baramulla)
28. Rehana Rasool d/o Gh. Rasool Bhat r/o Choon Budgam.
29. Shuguifta Kaiser d/o Kaiser Ahmad Dar r/o Rangar Chadoora (Budgam).
30. Mohammad Tajamul Rather s/o Gh. Mohi-ud-din Rather r/o Methan Chanpora, Srinagar.

.....Applicants

By Advocate: Mr. M.I. Dar, Advocate

Versus

1. Union Territory of J & K through Commissioner/Secretary, Health and Medical Education Department, Civil Secretariat, Srinagar/Jammu – 180001.
2. Director, Finance, Health and Medical Education Department, Civil Secretariat, Srinagar/Jammu.
3. Principal/Dean Government Medical College, Srinagar.

.....Respondents

By Advocate: Shri Amit Gupta , AAG

O R D E R

Per Mr.Rakesh Sagar Jain, Member (J)

Mr. M.I. Dar, Advocate for applicants present Mr. Amit Gupta, AAG accepts notice for the respondents

1. Hilal Ahmad Bhat and Others have filed the present O.A. seeking a direction to the respondents to extend the benefit of 7th Pay Commission available to the applicants in terms of “The Jammu and Kashmir Civil Services (Revised) Pay Rules, 2018” promulgated vide Notification SRO-193 dated Jammu, the 24th April, 2018 having come into force on the 1st day of April, 2016 with effective date of implementation from 1st April, 2018 (ii) and to release/draw the arrears of pay as per the Kashmir Civil Services (Revised) Pay Rules, 2018 promulgated vide Notification SRO-193 dated Jammu, the 24th April, 2018” without any further delay.
2. During the course of arguments, learned counsel for the applicants submitted that the applicants may be permitted to file a representation with the respondents seeking redressal of their grievances and the O.A. may be disposed of with a direction to the respondents to consider and decide the representation within a limited time frame. On the other hand, learned AAG submitted that he may be permitted to file the counter affidavit.

3. However, looking to the limited prayer of the applicants, the O.A. is disposed of with a liberty to the applicants to file their representation regarding their grievances before the respondents within a period of two weeks from today. The respondents would consider and dispose of the representation, if received from the applicants, by way of reasoned and speaking order within two months from the date of receipt thereof with intimation to the applicants. Needless to say that no opinion has been expressed by us on the merits of the case. O.A. is accordingly disposed of.

No costs.

(Rakesh Sagar Jain)
Member (J)

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(Dr.BhagwanSahai)
Member (A)