



**Central Administrative Tribunal  
Jammu Bench, Jammu**

Hearing through video conferencing

**O.A. No.62/1190/2020**

This the 9<sup>th</sup> day, Wednesday of December, 2020

**Hon'ble Mr. Rakesh Sagar Jain, Member (J)**

**Hon'ble Mr. Pradeep Kumar, Member (A)**

Gowher Ahmad Ganai, Aged 43 years,  
S/o. Habib-ullah Ganai,  
R/o. Lal Nagar Chanapora, Srinagar.

.....Applicant

(Mr. Sofi Furkan Yaqub, Advocate)

**Versus**

1. Union Territory of Jammu & Kashmir through  
Commissioner Cum Secretary to Govt. Agriculture Production,  
J&K Government, Civil Secretariat, Srinagar/Jammu;
2. Director, Sericulture Development Department, Kashmir,  
Srinagar;
3. Additional Director Sericulture Development Kashmir;
4. District Sericulture Officer, Bandipora.

..... Respondents

(Mr. Amit Gupta, Additional Advocate General)

**ORDER (ORAL)**

**Hon'ble Mr. Rakesh Sagar Jain, Member (J)**

OA has been filed by the applicant seeking the following reliefs:-

- i) That the impugned order no. 74-DS/JK/2020 dated 10.06.2020 be quashed;
- ii) They be directed to reinstate the petitioner and the intervening period be directed to be treated as on duty with all consequential benefits;
- iii) By issuance of the order the respondents be directed to allow the applicant to continue discharging functions at Additional Director Sericulture Kashmir as Senior Assistant and be restrained from taking any adverse action against the petitioner.”

2. The case of the applicant is that while working as Senior Assistant, he was placed under suspension by order dated 10.06.2020 along with other employees. It is further stated that cases of some of the similarly suspended employees like the applicant had been reviewed and they were reinstated leaving the applicant. He therefore seeks parity with those employees who had been reinstated into service. He further states that his order of suspension has not been reviewed even after three months had elapsed and no subsistence allowance has been paid so far and to that effect, he made a representation dated 01.09.2020 annexed as Annexure-IV, which is still pending with the respondents.

3. Heard learned counsel for the applicant and gone through the OA and documents annexed to it.

4. Looking into the facts and circumstances of the case as well as the submissions made by learned counsel for the applicant, OA is disposed of with a direction to the respondents to review suspension order of the applicant and also to pay subsistence allowance to the applicant during the period of suspension, if any, due to him as per rules within a period of two weeks from the date of receipt of copy of the order. It is made clear that nothing has been observed on merits of the case.

5. With the above direction, the OA is disposed of at admission stage. There shall be no order as to costs.

**(Pradeep Kumar)**  
**Member (A)**

**(Rakesh Sagar Jain)**  
**Member (J)**