

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**T.A./62/5188/2020**

This the 20th day of November, 2020

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

Mukhtar Ahmad No. 499/S Aged about 56 years,  
S/o Noor ud din Mangral, R/o Namble Uri Baramulla.

...Applicant

(Advocate: Mr. Zaheer A. Shah-None)  
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**Versus**

1. State of Jammu and Kashmir,  
through Director General Police, Srinagar.
2. Inspector General of Police,  
Kashmir Range Srinagar.
3. Senior Superintendent of Police,  
Headquarters Srinagar.
4. Deputy Superintendent of Police  
(DAR) DPL, Srinagar.

...Respondents

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



**O R D E R**  
**[O R A L]**

**Mr. Justice L. Narasimha Reddy, Chairman : -**

The applicant was working as Head Constable in the District Police Lines, Srinagar. He was functioning as incharge of the Mess. Through an order dated 28.04.2015 the Deputy Superintendent of Police directed that an ASI by name Pyarelal shall function as incharge of the Mess. Challenging the same the applicant filed SWP.No.1958/2015 before the Hon'ble High Court of Jammu & Kashmir. The Writ Petition has been transferred to the Tribunal in view of the reorganization of the State of Jammu & Kashmir and renumbered as TA.5188/2020.

2. There is no representation for the applicant. We heard Sh. Sudesh Magotra, learned Advocate General for the respondents.

3. The respondents did not choose to file reply in this case, though nearly half a decade has been elapsed since the Writ Petition was filed.

4. In a way this case discloses as to how the indisciplined officials have burdened the Courts and Tribunals with frivolous and

trivial matters. The substantive post of the applicant is Head Constable and he was functioning as Incharge of Mess. He does not have any right to continue as in charge. The concerned authority has replaced the applicant with an ASI. From the contents of the Writ Petition, it is evident that the principal ground urged by the applicant is that he has incurred expenditure for running the mess and if he is relieved of that, he would not be in a position to recover such amounts from various agencies. There cannot be a more preposterous plea than this. It also reflects the method of functioning upon the police administration. There was no interim order in the OA and it has become infructuous since its inception.

5. The OA is accordingly dismissed. There shall be no order as to costs.

(A.K. BISHNOI)  
MEMBER (A)

(JUSTICE L. NARASIMHA REDDY)  
CHAIRMAN

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