

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A.62/5663/2020 (SWP.No.720/2017)



This the 27th day of November, 2020

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

1. Nazir Ahmad Shah Age 57 years, S/o Noor Mohd Shah, R/o Banigam Shalimar.
2. Mukhtar Ahmad Ganie Age 50 years, S/o Gh. Mohd Ganie, R/o Mulfaq Hazrat.
3. Mushtaq Ahmad Akhnoon Age 49 years, S/o Gh. Mohd Akhoon R/o Chatter hasan Shaperbagh Hazratbal.

.....Applicants

(Advocate: Mr. M Ashraf Wani)

**Versus**

1. State of J&K through Commissioner/Secretary, PHE Department Secretariat J&K Sgr/Jammu.
2. Chief Engineer Kashmir, PHE Department Srinagar.
3. District Superintending Engineer Hydraulic Circle Srinagar/Ganderbal HQ Srinagar.

.....Respondents

(Advocate:- Mr. Amit Gupta, Additional Advocate General)

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

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

The applicants were working as Assistant Linemen in the establishment of the District Superintending Engineer, Hydraulic Circle Srinagar/Ganderbal. Through an order dated 10.03.2017, they were transferred from the Rural Water Scheme (RWS), to some other establishment. Challenging the same, they filed SWP No. 720/2017 before the Hon'ble High Court of Jammu & Kashmir. On 20.04.2017, the Hon'ble High Court ordered status quo and directed that the order of transfer shall not be given effect to as regards the applicants. Thereafter, the SWP was transferred to this Tribunal in view of reorganization of State of Jammu & Kashmir and renumbered as TA.No.5663/2020.

2 Today, we heard Mr. M Ashraf Wani, learned counsel for the Applicants and Mr. Amit Gupta, learned Additional Advocate General, for the Respondents.

3. It is not known as to whether the applicants remained in the RWS by the time the interim order was passed on 20.04.2017, Assuming that they have not joined, they would have remained in the same place for the past more than three and a half years. Either way, nothing remains to be decided at this stage.

4. The T.A. is, therefore, dismissed as infructuous. It is directed that in case the applicants remain in the same place, it shall be open to the respondents to pass fresh orders of posting. There shall be no order as to costs.

**(A.K. BISHNOI)**  
**MEMBER (A)**

**(JUSTICE L. NARASIMHA REDDY)**  
**CHAIRMAN**

**Dsn**