

**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing



O.A. No.62/1265/2020

This the 18th day of December, 2020

Hon'ble Mr. Rakesh Sagar Jain, Member (J)
Hon'ble Mr. Anand Mathur, Member (A)

1. Javaid Ahmad Shah age 64 yrs S/o late Gh Ahmad Shah R/o Wazirbagh, Srinagar, J&K 190001.
2. Mehrajudin Kalia age 66 yrs S/o Ab Aziz Kalia R/o R/o Rawheed Abad Nowshera Srinagar, J&K 190011.
3. Farooq Ahmad Mir age 63 years S/o late Ab Khaliq Mir R/o Town hall Sopore District Baramulla J&K-193201.
4. Ghulam Qadir Sofi age 64 yrs S/o late Ab Ahad Sofi R/o Azad Basti Natipora J&K 190015.
5. Nazir Ahmad Reshi age 61 yrs S/o late Ab Aziz Reshi R/o Baghi Mehtab Srinagar, J&K 190019
6. Sheikh Shabir Ahmad age 61 years S/o Sheikh Ahmadullah R/o Al Farooq Colony Bandipora J&K 193502.

.....Applicant

By Advocate: Mr. Shafqat Nazir

Versus

1. Government of Jammu and Kashmir through Commissioner/Secretary to Govt Floriculture Department Civil Secretariat Srinagar/Jammu 190001.
2. Director, Department of Floriculture, Srinagar 190001.

..... Respondents

(By Advocate: Mr. Sudesh Magotra, DAG)

ORDER (ORAL)

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

1. The instant O.A. has been filed by the applicants seeking a direction upon the respondents to grant two advance increments to the applicants on acquisition of higher qualification (MSc in the relevant subject) on the analogy of similiary situated persons having regard to

judgement dated 17.12.2019 passed by the Hon'ble High Court of J&K at Jammu in SWP No. 297/2019 (Sunil Misri and Ors Vs State of J&K and Ors and judgement dated 31.08.2017 passed by the Hon'ble High Court of Jammu and Kashmir at Jammu in SWP No. 1791/2006 (Jawahar Lal Raina and Ors Vs State of J& K and Ors.



2. During the course of argument, learned counsel for applicant submitted that the applicant would be satisfied, if respondents are directed to consider and dispose of his legal notice dated 16.09.2020 in the light of the judgments referred hereinabove.
3. In view of the above, The O.A. is disposed of, with direction to the respondents to consider the claim of the applicants in terms of the averments made in the O.A. and on the analogy of similarly situated persons having regard to judgment "Jawahar Lal Raina and others. Vs. State of J&K and others, passed on 31.08.2017 in SWP No. 1791/2006, provided the applicants are similarly situated and aforesaid judgment is applicable to their case, of course, under rules, within a period of one month from the date of receipt of copy of this order.

(ANAND MATHUR)

MEMBER (A)
Mks

(RAKESH SAGAR JAIN)

MEMBER (J)

