



## Central Administrative Tribunal

### Jammu Bench, Jammu

Hearing through video conferencing

TA No. 61/198/2020

MA No. 61/328/2020

SWP No. 378/2019

Tuesday, this the 18<sup>th</sup> day of August, 2020

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

**Hon'ble Mr. Mohd Jamshed, Member (A)**

Ragbir Singh alias Raghbir Chand aged 57 years, HC No. 268/JKAP, PID No. ARP-831468 (9<sup>th</sup> Bttn, Camp Zewan), Srinagar. S/o Late Sh. Suram Chand, R/o Ward No. 1 (old), 5 (new), Udhampur.

.....Applicant

(Advocate: Mr. S.C. Sharma)

Versus

1. State of J&K through Secretary/Commissioner Home Department.
2. DGP, JKP, Jammu
3. Commandant JKAP 9<sup>th</sup> Battalion, Camp Zewan, Srinagar.
4. SSP Security, Kashmir

.....Respondents

(Advocate: Mr. Amit Gupta, AAG)

## ORDER

### **Rakesh Sagar Jain, Member (J):**

1. The present OA has been filed seeking quashing of impugned order No. 1176 of 2016 dated 13.12.2016 issued by the respondent No. 3 whereby the applicant has been removed from service with a further direction to the respondents to treat the applicant in service and pay the suspension allowance to the applicant by taking into consideration the 6<sup>th</sup> and 7<sup>th</sup> Pay Commissions reports.
2. During arguments, it transpired that the applicant has approached this Tribunal without availing the remedy of statutory appeal. Hence, learned counsel for the applicant submits that the applicant would be satisfied if he is given liberty to file a statutory appeal in the relevant behalf.
3. In view of the submission made by the learned counsel for the applicant, the present TA is disposed of while giving liberty to the applicant to approach his Department by filing a statutory appeal within a period of two weeks from today. The respondents will take action on his appeal and

pass a reasoned and speaking order and communicate the same to the applicant. No costs.

**( Mohd Jamshed)**  
**Member (A)**

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

**ND\***