

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/138/2021

This the 01st day of February, 2021



HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)

1. Pankaj Mohan Sharma; age: 55 years, S/o Late Sh. Gopal Krishan, R/o 174, Pacci Dhaki, Jammu-180001.
2. Anil Kumar, age: 48 years, S/o Sh. Krishan Kumar, R/o 68-A Lane No. 3, Janipur, Jammu-180007.
3. Vinay Khajuria, age: 56 years, S/o Sh. N N Khajuria, R/o 3/163, Shant Nagar, janipur, Jammu-180007.
4. Surinder Singh Samyal; age: 55 years, S/o late Sh. Karan Singh, R/o Kehli Mandi, Samba-184121.
5. Manoj Kumar Sharma; age: 56 years, S/o Sh. Bishamber Dass Sharma, R/o Rajpura District Samba-184145.
6. Nirmal Singh; age: 58 years, S/o Sh. Dula Singh, R/o Mussa Chak Tehsil R.S. Pura District Jammu-181111.
7. Rajesh Jain; age: 59 years, S/o Sh. Vishwanath, R/o 236/4 Channi Himmat, Jammu-180015
8. Sham Kishore; age: 57 years, S/o Sh. Tara Chand, R/o V&PO Kootah Tehsil Hiranagar District Kathua-184142.
9. Rajesh Sharma; age: 55 yars, S/o Sh. Chunni Lal, R/o 20 B/D, Gandhi Nagar, Jammu-180004.
10. Yogesh Kumar; age: 54 years, S/o Sh. Mool Krishan R/o Keediyan Gandyal, District kathua-184152.

.....Applicants

(Advocate: Mr. Rahul Pant)

Versus

1. Union Territory of Jammu and Kashmir Through Secretary to Government Jal Shakti Department, Jammu and Kashmir Government Civil Secretariat, Jammu-180001.

.....Respondents

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



ORDER

[O R A L]

(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)

The applicants are aggrieved of the fact that they have not been placed as In-charge Assistant Executive Engineers w.e.f the dates their juniors have been so placed after restoration of the seniority of the applicants as Graduate Junior Engineers and subsequent placement of the applicants as In-charge Assistant Engineers retrospectively w.e.f, 12.12.2013 in pursuance to Government Order No: 204-JK (JSD) of 2020 dated 22.10.2020. Applicants are further aggrieved of the fact that instead of placing the applicants as Incharge Assistant Executive Engineers w.e.f. the dates their juniors have been placed, further juniors of the applicant are being placed as Incharge Assistant Executive Engineers while ignoring the claim of the applicants.

2. Learned counsel for the applicants submits that the applicants would be satisfied, in case a direction is issued to the respondents to treat this O.A. as their representation and decide the same within a limited time frame. The learned counsel also prays that till the disposal of the representation the

employees junior to the applicant should not be placed above them or promoted as Incharge Assistant Executive Engineers.



3. We have heard learned counsels for both the parties and perused the pleadings on record.

4. In view of the limited prayer made by the learned counsel for the applicants, we dispose of this O.A. with direction to the respondents to treat this O.A. as representation preferred by the applicants and decide the same by passing a reasoned and speaking order within a period of one month from the date of receipt of certified copy of this order. Further, till the disposal of the representation, the respondents should not place the employees who are juniors to the applicant above them or promote them to the post of Incharge Assistant Executive Engineers.

5. It is made clear that we have not entered into the merits of the case.

6. There shall be no order as to cost.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)