



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.649/2020
(S.W.P. No.2769/2002)

Tuesday, this the 8th day of December, 2020

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)

Dr. Ashutosh Dhar Age 55 years, S/o Shri S.N. Dhar, Presently Joint Director ARV R.S. Pura and also holding Charge of Managing Director Milk Federation Jammu

...Applicant

(None for applicant)

Versus

1. State of Jammu & Kashmir Through Financial Commissioner Agriculture and Rural Development Department Civil Secretariat, Jammu.
2. Commissioner/Secretary, Animal Sheep Husbandry Dept, Department Civil Secretariat, Jammu.
3. Dr. M. Mushtaq Ahmed, Director Animal Husbandry Department Srinagar (Kashmir).
4. Dr. Y.P. Gupta S/o Shri Gain Chand Gupta, R/o Sector No. 3 Trikuta Nagar Jammu Presently Director Animal Husbandry Department Jammu.

...Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)



O R D E R (ORAL)

Mr. Justice L. Narasimha Reddy:

The applicant was working as Joint Director, ARV in the Department of Animal Husbandry, Jammu. Through an order dated 26.09.2002, the Additional Secretary to Govt. placed the respondent No.3, Dr. M. Mushtaq, as In-charge of the post of Director, Animal Husbandry Department. The applicant challenged the same by filing S.W.P. No.2769/2002 before the Hon'ble High Court of Jammu & Kashmir, stating that there was no basis for the respondent Nos. 1 and 2 to place the respondent No.3 as Director, Animal Husbandry Department, being junior to him.

2. The respondents filed counter affidavit. It is pleaded that the applicant abandoned the post held by him in 1990 and migrated in Jammu. Various factors are also stated in support of their case.

3. In view of the re-organization of the State of Jammu & Kashmir, the said S.W.P. has since been transferred to this Tribunal and registered as T.A. No.649/2020.

4. Today, there is no appearance on behalf of the applicants. We heard Mr. Sudesh Magotra, Deputy Advocate General, for the Respondents, through video conferencing.



5. The record discloses that the S.W.P. was filed in the year 2002, i.e., at a time when the applicant was nearly 55 years of age. It shows that the applicant would have retired in 2007 itself. At any rate, the arrangement of respondent No.3 was only temporary in nature.

6. Nothing remains to be decided in this T.A. It is accordingly dismissed as infructuous.

There shall be no order as to costs.

(A K Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

December 8, 2020

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