



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.689/2020
(S.W.P. No.1930/2000)

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)**

1. Mulkh Raj Sharma, S/o late Shri Isher Dass, Age about 52 years, R/o Banpuri Tehsil, Sunderbani, District Rajouri presently working as Sr. Asstt: in the Office of the Designs Directorate Jammu.
2. Sukesh Kumari W/o Brij Kamal R/o 644-A Gandhi Nagar Jammu, presently working as Sr. Asstt: in the office of Designs, Directorate Jammu.
3. Dinesh Khosla, S/o late Shri Tara Chand, Khosla, age about 41 years, R/o 166 Jullahka Mohalla, Jammu

...Applicants

(None for applicants)

Versus

1. State of J&K through Commissioner/cum/Secretary to Govt. Works Deptt: Civil Sectt: Srinagar.
2. Director, Designs Directorate, Jammu & Kashmir Jammu.
3. Madan Lal Bhagati, S/o Sh. Sansar Chand Bhagati, R/o 24-C Bhagwati Nagar, Jammu presently working as Sr. Asstt: in the office of Designs Directorate, Jammu

...Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

O R D E R (ORAL)



Mr. Justice L. Narasimha Reddy:

The applicants were appointed as Junior Assistants, in the Office of Director, Designs Directorate Jammu. The respondent No.3 was appointed as Junior Assistant in the Office of Chief Engineer, Irrigation & Flood Control Department, Jammu and promoted to the post of Senior Assistant. He was transferred to Designs Directorate Jammu. His lien was transferred, through order dated 31.05.2000, with effect from the date of his transfer. Through circular dated 22.06.2000, the Director, Designs Directorate, Jammu issued a tentative seniority list showing the respondent No.3 as senior to the applicants. Challenging the tentative list dated 22.06.2000 and the order dated 31.05.2000, transferring the lien of the respondent No.3, the applicants filed S.W.P. No.1930/2000 before the Hon'ble High Court of Jammu & Kashmir.

2. The applicants contend that there was absolutely no basis

for respondent Nos. 1 and 2 for placing the respondent No.3 over them in the tentative seniority list.

3. The respondent Nos. 1 and 2 on the one hand and

respondent No.3 on the other, have filed separate replies. According to them, the transfer of respondent No.3 took place in the year 1970 and the applicants cannot have any objections.



It is also stated that the formal order transferring him was passed at a later point of time. They have also stated that the tentative seniority list cannot be challenged and objections, if any, need to be submitted by the applicants.

4. In view of re-organization of the State of Jammu & Kashmir, the S.W.P. has since been transferred to this Tribunal and renumbered as T.A. No.689/2020.

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

6. It is a fact that the respondent no. 3 was transferred from the Irrigation & Flood Control Department, Jammu in the year 1970. He has retired from service more than a decade ago. Some of the applicants have also retired from service. At any rate, tentative seniority list cannot be challenged. It is fairly well settled that objections to it, if any, need to be submitted by the aggrieved persons. By this time, the final seniority list may also have been published. Nothing remains to be decided in this T.A.

7. We do not find any merit in this T.A. It is accordingly dismissed. 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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