



**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH JAMMU**

Dated: This day of 01st of July 2020

**HON'BLE Dr. BHAGWAN SAHAI, MEMBER – A
HON'BLE MR. RAKESH SAGAR JAIN, MEMBER – J**

O.A. No.061/00231/2020

Mohd. Aziz aged 58 years S/o Sh. Mohd. Bashir, R/o Bhati Dhar Tehsil Mendhar District Poonch.

.....Applicant

By Advocate: Mohd. Shaqir Hussain

Versus

1. Union Territory of Jammu and Kashmir through Commissioner/Secretary, Jal Shakti Department (earlier known as PHE, Irrigation & Flood Control Department, Govt. of J & K, Civil Secretariat, Jammu/Srinagar).
2. Chief Engineer, Jal Shakti Department, B.C. Road, Jammu.
3. Superintending Engineer, Jal Shakti Department, Poonch.
4. Executive Engineer, Jal Shakti Department, Poonch.

.....Respondents

By Advocate: Mr. Amit Gupta, AAG

O R D E R(Oral)

Per Mr.Rakesh Sagar Jain, Member (J)

1. Applicant has filed the present O.A. seeking quashment of order dated 06.10.2006 whereby the petitioner was suspended from



service on account of his arrest in FIR No. 157/2005, which has not been revoked with despite exoneration of the applicant from all charges vide judgment dated 18.06.2009. He has also sought a direction to the respondents to grant all the service benefits since the order of suspension till date including salary with increment.

2. During the course of arguments, learned counsel submitted that the applicant has submitted a representation dated 28.06.2019 (Annexure A-4) which has not been disposed of by the respondents till date. He prays that this O.A. may be disposed of with a direction to Respondent No. 4 to consider and dispose of his representation within some stipulated time. On the other hand, learned AAG submitted that he may be permitted to file the counter affidavit.

3. However, looking to the limited prayer of the applicant, the O.A. is disposed of with a direction to respondent No. 4, to whom the indicated representation (Annexure A-4) has been addressed, to consider and dispose of the same in accordance with rules and law, by passing a well-reasoned and speaking order within a



period of two weeks from the date of receipt of an e-mail copy of this order. This order be e-mailed to Mr. Amit Gupta, AAG who will further e-mail the order to the respondents. Hard copies to be supplied to parties under Rules. Needless to say that no opinion has been expressed by us on the merits of the case. O.A. is accordingly disposed of. No costs.

(Rakesh Sagar Jain)
Member (J)

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(Dr. Bhagwan Sahai)
Member (A)