



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.933/2020
(S.W.P. No.884/2003)

Thursday, this the 10th day of December, 2020

(Through Video Conferencing)

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

1. Sh. M.S. Bhat age 52 years, S/o Sh. Gh. Qadir Bhat, R/o Bhadwah at present Divisional Forest Officer, Social Forestry Doda.
2. A.K. Mangotra age 52 years, S/o Sh. B.N. Mangotra, R/o 46/5 Trikuta Nagar Jammu at present Project Officer Jungle Gali Tikkri.
3. Sh. U.S. Baloria, age 52 years, S/o Late Pritam Singh, Baloria, R/o 25-C Vasant Vihar Talab Tillo Jammu at present Dy. Director Protection Force Rajouri.
4. Sh. N.K. Kohli age 48 years, S/o Sh. Kishori Lal Kohli, R/o Bakshi Nagar at present Project Officer Sukhtao, Project Rajouri.

...Applicants

(Mr. Gaurav Arora, Advocate for Mr. O P Thakur, Advocate)

Versus

1. State of J&K through Commissioner-Secretary Forest Department Civil Secretariat, Jammu.
2. Principal Chief Conservator Forest J&K Govt.
3. Public Service Commission through its Chairman Jammu.
4. Ali Mohd Dar S/o Abdul Salam Dar R/o Budgam at present D.M. State Forest Corporation O/o Managing Director State Forest Corporation Jammu.
5. Sh. Abdul Rashid Mir, S/o Mir Mohd Ismail, O/o A.K. Nagroo Soni Paryeen Amira Kadal, Srinagar, O/o Principal Chief Conservator Forest J&k Jammu.
6. Harminder Singh, S/o Daljit Singh, R/o Rehari, presently posted as Project Officer Thein Dam DD II Kathua.

...Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

O R D E R (ORAL)

Mr. Justice L. Narasimha Reddy:

The applicants were working as Project Officers in the Forest Department of Jammu & Kashmir. Through order dated 24.12.2002, the Government placed the respondent Nos. 4 to 6, above the applicants in the seniority list and promoted them to the post of Deputy Conservator of Forest. Earlier to that, the respondent Nos. 4 to 6 were promoted as Assistant Conservator of Forest on 01.11.1995. The applicants filed S.W.P. No.884/2003 before the Hon'ble High Court of Jammu & Kashmir at Jammu, for a writ of *quo warranto* against the respondents 4 to 6.

2. The respondents have also entered appearance and filed reply. No interim order was passed by the Hon'ble High Court in S.W.P.

3. In view of re-organization of the State of Jammu & Kashmir, the S.W.P. has been transferred to this Tribunal and renumbered as T.A. No.933/2020.



4. Today, we heard Mr. Gaurav Arora, learned counsel appearing on behalf of Mr. O P Thakur, learned counsel and Mr. Sudesh Magotra, learned Deputy Advocate General, for the Respondents, through video conferencing.

5. The grievance of the applicants was that through an order dated 01.11.1995, the respondent Nos. 4 to 6 were appointed as Assistant Conservator of Forest. The S.W.P. was filed eight years after such appointment. Added to that, the respondent Nos. 4 to 6 were promoted to the post of Deputy Conservator of Forest on 08.01.2003. Record discloses that all the applicants herein have retired from service and so are the respondent Nos. 4 to 6. At this length of time, the question of granting any relief does not arise.

6. The T.A. has become infructuous and accordingly, it is dismissed. There shall be no order as to costs.

(A K Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

December 10, 2020

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