

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**O.A. No. 61/276/2021**

This the 19th day of February, 2021

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

Mohd Khalil Malik (Age 47 years) S/o Ghulam Mohd. Malik, R/o Patta Thana Darhal Malikan, Rajouri, Tehsil & District Rajouri-185131.

.....Applicant

(Advocate:- Mr. Amit Gupta)

**Versus**

1. U.T. of Jammu & Kashmir, through Director General of Police (DGP), J&K Gulshan Ground, Jammu-180004.
2. Inspector General of Police (IGP), Srinagar-190001
3. Deputy Inspector General of Police (DIG), Anantnag-192101.
4. Senior Superintendent of Police (SSP), Anantnag-192101.
5. Superintendent of Police (SP), Anantnag-192101.

.....Respondents

(Advocate: Mr. Rajesh Thappa, Deputy Advocate General)

**ORDER**

**ORAL**

**(Delivered by Hon'ble Mr. Anand Mathur, Member-A)**

Learned counsel for the applicant submits that the applicant was appointed as Constable and his services were utilized for anti-militancy operations. It is stated that encounter was carried out on 23.08.2018, 16.10.2019, 29.06.2020 and 24.09.2020, in which he gunned down several terrorists. The Government extended the benefits of 'out of turn promotion' to his counterparts vide orders dated 11.07.2019. He further contends that though the applicant too was a part of the team which was involved in the encounter, he has been denied the benefit of out of turn promotions. The applicant also made representations to the Director General of Police- the first respondent herein. With this



background, the applicant seeks a direction to the respondents to consider his case for extending the benefits of out of turn promotion.



2. We have heard Mr. Amit Gupta, learned counsel for the applicant and Mr. Rajesh Thappa, learned Deputy Advocate General.

3. It is a matter of record, that encounters took place on 23.08.2018, 16.10.2019, 29.06.2020 and 24.09.2020. The Government extended the benefit of out of turn promotions to sixteen officials vide order dated 11.07.2019. The question as to whether the applicant was part of the team, and if so the role played by him, needs to be examined by the respondents. We cannot express any definite view in this behalf. In case the applicant has actually participated and played the role as did others, mentioned in the proceedings, dated 23.08.2018, 16.10.2019, 29.06.2020 and 24.09.2020, he too would be entitled to such benefit. If on the other hand his participation was not that critical or important, the benefit need not be extended. A reasoned order needs to be passed in this behalf.

4. We, therefore, dispose of the OA directing the competent authority amongst the respondents to pass orders on the representation submitted by the applicant after verifying his record, within a period of four weeks from today. There shall be no order as to costs.

**(ANAND MATHUR)**  
**MEMBER (A)**  
*Arun*

**(RAKESH SAGAR JAIN)**  
**MEMBER (J)**