



Central Administrative Tribunal Jammu Bench, Jammu

Hearing through video conferencing

O.A. No.61/202/2020
M.A. No.61/103/2020

Monday, this the 13th day of July, 2020

**Hon'ble Dr. Bhagwan Sahai, Member (A)
Hon'ble Mr. Rakesh Sagar Jain, Member (J)**

Amit Kumar,
S/o Lt. Shri Rattan lal
R/o Ward No.8, Tehsil Akhnoor
District Jammu

...Applicant

(Through Mr. Ajay Bakshi, Advocate)

Versus

1. Union Territory of Jammu and Kashmir
Through its Commission Secretary
Health and Medical
Civil Secretariat Jammu/Kashmir
2. Principal
Government Medical College,
Jammu

...Respondents

(Through Mr. Sudesh Magotra, DAG for Mr. Amit Gupta, Additional
Advocate General)

O R D E R (ORAL)

Dr. Bhagwan Sahai, Member (A):

Amit Kumar son of Late Shri Rattan Lal resident of Ward No.8, Tehsil Akhnoor, District Jammu has filed this OA on 07.07.2020 seeking direction to respondent no.2 i.e. Principal,

Government Medical College, Jammu for releasing his monthly salary along with consequential benefits. As an interim relief, he also seeks direction to respondents for releasing payment of his pending salary.

2. We have heard Mr. Ajay Bakshi, learned counsel for the applicant and Mr. Sudesh Magotra, DAG for Mr. Amit Gupta, AAG on behalf of respondents.

3. In the present OA and during arguments of his counsel, the applicant has stated that his father had served as Senior Assistant with Medical Superintendent, CD Hospital, Jammu and he expired on 09.03.2019. Then the applicant was appointed as Orderly by order dated 05.09.2019 against available vacancy on probation for two years and was regularized in service as per J&K Service Rules. However, during verification of his character and antecedents by IG of Police (CID), Jammu, it was revealed that an FIR had been lodged against him leading to a pending criminal trial. On that ground, the applicant has not been paid salary by respondent no.2. The applicant submitted his representation on 25.06.2020 to the Principal, Government Medical College, Jammu for release of his salary from the time of his joining as Orderly. However, that representation has not been considered by the respondents.

4. At this stage, the applicant's counsel submits that the applicant would be satisfied if this OA is disposed of at this stage with direction to respondents to decide his above representation.

5. In view of the statement made, the respondents are directed to consider the applicant's representation dated 25.06.2020 along with a copy of this OA as part of his representation and decide it by passing a reasoned and speaking order within four weeks from the date of receipt of a copy of this order and thereafter communicate it to the applicant. With this, OA stands disposed of. No costs.

(Rakesh Sagar Jain)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

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