

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**O.A.61/914/2020**

This the 14<sup>th</sup> day of October, 2020



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

Jaswant Singh, Age 41 Years, S/o Sh. Dharam Singh, R/o Jathava, Tehsil and District Kathua.

.....Applicant

(Advocate: Ms. Shivani Jalali)

**Versus**

1. Union Territory of Jammu & Kashmir, Commissioner/ Secretary to Govt. Department of Forest, Ecology & Environment, Civil Secretariat, Jammu.
2. Chief Conservator of Forest, Van Bhawan, Near Gumat, Jammu, J&K.
3. Conservator of Forests, East Circle, Jammu, Chairman DPC Class-IV.
4. Division Forest Officer, Kathua.

.....Respondents

5. Anil Kumar, Age 36 Years, C/o Divisional Forest Officer, Tehsil & District, Kathua.
6. Swarna Devi, Age 42 years, C/o Divisional Forest Officer, Tehsil & District Samba.
7. Balbir Singh, Age 57 years, S/o Sh. Giridhari Singh, R/o Muthi Charu, P/O Rajpura, Tehsil Hiranagar, District Kathua.
8. Talab Hussain, Age 32 years, S/o Sh. Hussain Ali, R/o Bani, Tehsil and District Kathua.
9. Mohd. Ayub, Age 45 years, S/o Mohd Hussain, R/o VPO Malhar, Tehsil Billawar, District Kathua.
10. Sh. Puran Chand, Age 40 years, S/o Sh. Jethu Ram, R/o VPO Changrau, Tehsil & District Kathua.
11. Sh. Vijay Kumar, Age 41 years, S/o Sh. Kartar Chand, R/o Chann Khatrian, P/o Kootah, Tehsil Hiranagar, District Kathua.

12.Devinder Kumar, Age 36 years, S/o Sh. Shanker Singh, R/o Kahag, Tehsil Billawar, District Kathua.

13.Vishnu Dev Singh, Age 37 years, S/o Sh. Govind Singh, R/o Vali, P/o Vali, Tehsil and District, Udhampur.

.....Private Respondents.



(Advocate: Mr. Amit Gupta)

## **ORDER** **[O R A L]**

**Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member (J): -**

During the course of arguments, learned counsel for applicant submits the O.A. may be disposed of by directing the respondents to consider the case of applicant and treating the O.A. as his representation.

2. The case of applicant, Jaswant Singh is that during the course of promotion of Class-IV employee of District Kathua, the respondents have promoted the juniors of the applicant and thereby superseded him. He has challenged his supersession. It was argued by the learned counsel for the applicant that most specifically, his juniors figuring in category A at Sl.No.6, 7 & 8 in Forest Order No.31 of 2020 dated 20.08.2020 passed by Conservator of Forests, East Circle, Jammu and persons mentioned at Sl.No.4 in category A in Forest Order No.36 of 2020 dated 08.09.2020 are the persons who are his junior and have been promoted thereby superseding the applicant.

3. Looking to the arguments of the learned counsel for the applicant and learned Addl. A.G. for respondents, the O.A. is disposed of



with a direction to the respondents to consider the O.A. as a representation of the applicant and dispose it of by way of reasoned and speaking order within a period of two weeks from the date of receipt of certified copy of this order with intimation to the applicant. The respondents while considering the representation would take note of the aforementioned arguments of the learned counsel for the applicant regarding the details of the persons who have allegedly superseded the applicant. Meanwhile, till the representation is decided by the respondents, one post of Forest Guard shall be kept vacant. It is made clear that we have not gone into the merits of the case.

4. O.A. is accordingly disposed of. No costs.

(ANAND MATHUR.)  
MEMBER (A)

sks/-

(RAKESH SAGAR JAIN)  
MEMBER (J)