

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH JAMMU**



**Dated: This day of 15<sup>th</sup> of July 2020**

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

**O.A. No.061/00238/2020**

Balram Sharma age 39 years, S/o Sh. Radha Krishan Sharma, R/o VPO Paloura, Tehsil and District Jammu.

.....**Applicant**

**By Advocate: Mr. Abhinav Sharma**

**Versus**

1. Union Territory of J & K through its Secretary Home Department, Civil Secretariat, Jammu/Srinagar.
2. Director General of Police, J & K, Jammu/Srinagar.
3. Inspector General of Police, J & K Jammu/Srinagar.
4. Pawan Singh Randwal, S/o Sh. Dina Nath Randwal R/o Babey Majalata, Udhampur.
5. Jawid Ahmed Dar S/o Mohd Ramzan Dar R/o Qamar Wari District Srinagar.
6. Khayali Man Khajuria R/o Subash Nagar, Udhampur.
7. Afaw Ahmad Nayak S/o Gh. Mohd Nayak R/o Padshahi Bagh, District Srinagar.
8. Pankaj Singh S/o Sh. Santosh Kumar, R/o Salana (Saroor), Tehsil Kishtwar.



9. Vishal Kumar S/o Sh. Brham Dev R/o War No. 4, H. No. 95, Tehsil R.S. Pura, District Jammu.
10. Vishav Pratap Singh Katoch S/o Sh. Rajinder Singh Katoch R/o Kawa Udhampur.
11. Mir Sajad Bashir S/o Bashir Ahmed Mir R/o Ferozpora Kharpora, Tanmarg, District Baramulla.
12. Yasir Rashid Bhat, S/o Abdul Rashid Bhat, R/o Zowoora Kongposh Colony, District Srinagar.
13. Firdoos Ahmad S/o Mohd. Amin R/o Basti Banjoi, Tehsil & District Doda.
14. Ajaj Parvez S/o Mirza Mohd. Latieef R/o Behrote, Tehsil Thanamandi, District Rajouri.
15. Sohan Singh S/o Sh. Prem Singh R/o Roun Domail, Udhampur.
16. Khalid Karim Zargar S/o Abdul Karim R/o Kanispura, Baramulla, District Baramulla.
17. Abdul Rashid Sofi S/o Ghulam Hassan sofi R/o Panzan Chadoora, Distt. Budgam.
18. Arun Sharma, S/o Sh. Om Parkash R/o Plandri, at present Ward No. 2, Bhour Camp, Jammu.
19. Yasar Mehmood S/o Ghulam Qadir Parray R/o Shivpura, District Srinagar.
20. Mohan Lal S/o Sh. Ram Lal R/o Chak Mian, Sukha Singh Bandrali, Tehsil Bishnah, District Jammu.
21. Tariq Hassan PID NO. EXK- C/o Director General of Police J & K Jammu/Srinagar.
22. Manzoor Ahmed Ganie S/o Ab. Gaffar Ganie R/o Telipora Harren Ganderbal, District Ganderbal
23. Malikzada Towfeeq S/o Mohd Sikander Malik R/o Lisser Chawlgam, Distt. Anantnag.
24. Qawiser Bashir S/o Bashir Ahmad Rather S/o Bashir Ahmad rather R/o Manigam Lar, Distt. Ganderbal.



25. Mohd Iqbal Sheikh S/o Ghulam Nabi Sheikh R/o Hangoo, Sursyar, Chadoora, District Budgam.
26. Ajay Kumar Engotra S/o Sh. Sukhdev Raj Engotra, R/o Biaspur Pariah, Tehsil R.S. Pura, District Jammu.
27. Ab. Manan Malik S/o Abdul Rashid Malik, R/o Balpora Shopian, District Shopian.
28. Ravi Kumar S/o Sh. Raj Paul, R/o Kotli Mian Tehsil R.S. Pura, District Jammu.
29. Majid Hassan Khan S/o Hassan Ali Khan R/o Gopal Pora, Kalan, District Ananthag.
30. Anil Choudhary S/o Sh. Darshan Kumar R/o Mattu, Tehsil Akhnoor R/o Mattu, Tehsil Akhnoor, District Jammu.
31. Abdul Rehman Khan S/o Mohd. Zaman Khan, R/o Noor Khah Boaiyar, District Baramulla.
32. Habib-ul-Rehman Khan S/o Abdul Rehman R/o Sandore, Tehsil Mendhar, District Poonch.
33. Atthar Ahmad Shah S/o Hissam-ul-din Shah R/o Naseer Bagh Sopre, District Baramulla.
34. Verinder Singh S/o Sh. Jaswant Singh R/o Thank Hiranagar, Kathua.
35. Ruzaid Yasseen Kachroo S/o Mohd. Yaseen Kachroo R/o Jahangir Colony, Baagat, Barzaulla, Srinagar.
36. Naseer Mahmood Naik S/o Mohd Rafiq R/o Latti, Ramnagar, Udhampur.

.....**Respondents**

**By Advocate: Mr. Amit Gupta, AAG**

**O R D E R(Oral)**

**Per Mr.Rakesh Sagar Jain, Member (J)**



1. Case of applicant Balram Sharma is that the respondents did not put up the case of the applicant before the DPC, even though the complaint against him was consigned to record as per communication dated 18.02.2020 (Annex A-4). Hence this O.A., seeking a direction to the respondents to promote him to the post of Inspector from the date his juniors (private respondents) have been promoted, with all consequential benefits.
2. During the course of preliminary arguments, learned counsel for applicant submitted that the O.A. can be disposed by directing the respondents to consider the applicant's representation dated 16.5.2020 (Annex A-5) regarding opening of the sealed cover and promoting him since the complaint against him has been consigned to record.
3. We have heard and considered the arguments of learned counsel for applicant and Mr. Amit Gupta, learned AAG for respondents and gone through the material on record.
4. Looking to the arguments of the learned counsel for the applicant, in our opinion, ends of justice will be met in this

case, if the O.A. is disposed of with a direction to the respondents to consider and decide the applicant's representation dated 16.05.2020 (Annex A-5) .

5. Accordingly, O.A. is disposed with the direction to the respondents to consider under relevant rules and dispose of the indicated representation of the applicant by way of reasoned and speaking order within the period of 3 weeks from the receipt of certified copy of this Order with intimation to the applicant. The O.A. is accordingly disposed of. We have not expressed any opinion on the merits of the case. There shall, however, be no order as to costs.

**(Rakesh Sagar Jain)**  
**Member (J)**

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**(Dr. Bhagwan Sahai)**  
**Member (A)**

