

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

OA No. 061/982/2020

This the 18th day of November, 2020

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)



1. Sh. Mohseen Ul Hassan, Age 32 years, S/o Sh. Ab. Rashid Rather, R/o Bhagwah, Tehsil Bhagwah, District Doda.
2. Sh. Mudasir Ahmed Wani, A/a 35 years, S/o Sh. Gh. Mohd Wani, R/o Howgam, Kuthar, Distt. Anantnag.
3. Sayima Fayaz, age 29 years, S/o Sh. Fayaz Ahmed Wani, R/o Ganderbal, Kashmir.
4. Sh. Muzafar Gul Age 30 years, S/o G. Mohd Batt, R/o Gopalpura Khurd.
5. Sh Ajaz Ahmed Batt, age 28 years, S/o Sh Ab Khaliq Batt, R/o Puchal Pulwama.
6. Sh. Mohd Irfan age 32 years, S/o Sh. Bahir Ahmed, R/oAnlanbass Tehsil Ukharal District, Ramban.
7. Sh. Nadeem Ahmed Naikoo, age 29 years, S/o Sh. Khursheed Ahmed Naikoo, R/o Kilora Shopian.
8. Sh. Towseef Ahmed Dar age 27 years, R/o Ab. Ahad Dar, R/o Sehpora, Ganderbal, Kashmir.
9. Sh. Tufail Ahmed Mir age 31 years, S/o Mohd. Yousef Mir, R/o Changoo Doroo Shadad, Distt. Anantnag.
10. Sh. Salsa Beela Wani age 29 years, S/o Sh. Mohd Shafi Wani, R/o Nowgam Chadoora Distt. Budgam.
11. Sh. Tawseef Ahmed Ganei, age 31 years, S/o Sh. Hamidullah Gani, R/o Handushien Anantnag, Kashmir.
12. Sh. Sweet Tandon age 27 years, S/o Sh. Subash Tandon, R/o Gohlat, Tehsil Mendhar District Poonch.



13. Sh. Mazamail Bashir age 27 years, S/o Sh Bashir Ahmed Mir, R/o Nadoora Karrelmad Anantnag.
14. Sh. Sheikh Mohd Mohsin Age 27 years, S/o Sh. Ahmadulla Sheikh, R/o Doora Shabaad Anantnag.
15. Sh. Danish Iqbal Batt age 29 years, S/o Sh. Mohd Ibal Ball, R/o village Pogal, Tehsil Pogal Paristan Ukhral, District Ramban.
16. Sh Sunny Sharma, age 29 years, S/o Sh. Kasturi Lal, R/o Vijaypur Tehsil Vijaypur District, Samba.
17. Sh. Abid Aziz Mugal age 31 years, S/o Sh Ab. Aziz Mugal, R/o Ganderbal, Kashmir.
18. Sh. Mohd Ashraf Bhrt, age 30 years, S/o Sh. Mohd Aslam Bhat, R/o Sehpora, Ganderbal, Kashmir.
19. Sabina Age 31 years, S/o Sh. Aga Mohd Iqbal, R/o Chandnigam Tral Pulwama.
20. Sh Deepak Kumar age 30 years S/o Romesh Chander, R/o Village Gurah Pathan Tehsil Bhalwal, District Jammu.
21. Sh. Naresh Kumar, age 35 years, S/o Krishan Chand, R/o Khaergal Tehsil Bari Brahmna, District Samba.
22. Sh. Syed Jmukhtar Ahmad Shah, age 34 years, S/o Syed Sharaf-u-Din Shah, R/o Hajibal Baramulla.
23. Sh Arshid Ahmed Paal, age 30 years Sh. Gh. Hassan Paal, R/o Ompura, Budgam, Kashmir.
24. Sh. Sofi Arif Rashid age 29 years, S/o Sh. Ab. Rashid Sofi, R/o Dadrahama, Ganderbal.

.....Applicants

(Advocate: Mr. O.P. Thakur)

Versus

1. Union Territory of Jammu and Kashmir through Commissioner-cum-Secretary, Jal Shakti Department, Civil Sectt., Jammu - 180001.
2. Chief Engineer, Jal Shakti (PHE) Department, Jammu – 180001.

3. Chief Engineer, Jal Shakti (PHE), Department, Srinagar – 190001.
4. Commissioner-cum-Secretary, General Administration Department, Civil Sectt. Jammu – 180001.

.....Respondents

(Advocate: Mr. Rajesh Thapa, DAG and Mr. Sudesh Magotra, DAG)



ORDER [O R A L]

By Hon'ble Mr. Rakesh Sagar Jain, Member (J)

The applicants Sh. Mohseen Ul Hassan and others have challenged the seniority list whereby the respondents have not accepted the inclusion of applicants in the seniority list of Junior Engineers (Civil) degree holder and, therefore, seeks direction that the respondents include the applicants in the aforementioned seniority list and promote them to the higher post of Assistant Engineers.

2. During the course of arguments it was argued by the learned counsel for the applicant that the objection filed by them against the tentative seniority list of Junior Engineers (degree holders) were examined by the department, but no reasons have been accorded by the respondents while rejecting their representations/objections.

3. Looking to the case projected by the applicants, the present OA is disposed of at the admission stage itself with the direction to the respondents that:-



- i. If the representations/objections have been filed by the applicants and disposed of by the respondents, they would communicate the reasons for such rejection to the applicants within a period of one week from today.
 - ii. In case representations/objections were received within time limited fixed by the respondents, respondents would dispose of the representations/objections of the applicants within a period of 7 days from today, by way of reasoned and speaking order with intimation to the applicants.
4. Meanwhile during the aforementioned period of 7 days, respondents shall not issue the promotion list of Assistant Engineer, if not already issued. There shall be no order as to costs.
5. It is made clear that we have not entered into the merits of the case.

(MOHD. JAMSHED)
Member (A)
Piyush/-

(RAKESH SAGAR JAIN)
MEMBER (J)