

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/23/2021

This the 12th day of January, 2021



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

1. Sh. Palav Mohana age 27 years, S/o Sh. Sanesh Kumar, R/o H. No. 113, Ward No. 13, Sungal Morh, Akhnoor.
2. Sh. Ajay Kumar Choudhary Age 28 years, S/o Sh. Girdhari Lal R/o Village Chak Keema P.O. and Tehsil Arnia, District Jammu.

.....Applicants

(Advocate: Mr. O.P. Sharma, Senior Advocate assisted by Mr. R.K.S. 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. Commissioner-cum-Secretary, General Administration Department, Civil Sectt. Jammu-180001.

.....Respondents

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

ORDER

[O R A L]

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



The applicants Palav Mohana and Ajay Kumar Choudhary 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 15 days from today, by way of reasoned and speaking order with intimation to the applicants.



4. Meanwhile during the aforementioned period of 15 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.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

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