



**Central Administrative Tribunal  
Jammu Bench, Jammu**

**TA No. 6145/2020  
SWP No. 317/2020**

**This the 16<sup>th</sup> day of March, 2021**

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Mohd. Sarfraz Ahmed age 21 years,  
S/o Sh. Lal Hussain,  
R/o Village Dodasan Bala,  
Tehsil Thannamandi District, Rajouri.

...Applicant

(By Advocate: Mr. Rakesh Sharma)

**VERSUS**

1. U.T. of Jammu and Kashmir,  
Through Commissioner/Secretary,  
Home Department,  
Civil Secretariat, Jammu/Srinagar.
2. Director General of Police,  
U.T. of J&K, Jammu.
3. AIG of Police (Personnel),  
For Director General of Police, J&K.
4. Deputy Commissioner, Rajouri.
5. Assistant Commissioner Revenue, Rajouri.
6. Tehsildar, Thannamandi, Rajouri.

...Respondents

(By Advocate: Mr. Rajesh Thapa, Deputy Advocate General )

**ORDER (Oral)****Mr. Justice L. Narasimha Reddy:**

The respondents initiated steps for appointment to the post of Constable in Border Battalions of J&K Police. The reservation, to certain extent, was made in favour of persons residing within the radius of 0 to 10 kms from international border (IB)/line of actual control (LAC). Though the applicant claimed that benefit by filing a certificate of residency, it was said to have been cancelled at a later stage. Aggrieved by that, the applicant filed SWP No.317/2020 before the Hon'ble High Court of Jammu and Kashmir, claiming relief in that behalf. An interim order was passed by the Hon'ble High Court on 03.02.2020 directing that in case the applicant is otherwise eligible and submits a certificate of residency from the competent authority that he is a resident of the area, which falls within the radius of 0 to 10 kms from IB/LAC, he shall be allowed to participate in the selection process.

2. The record discloses that the respondents did not file any counter affidavit.

3. In view of re-organization of the State of Jammu, the SWP has since been transferred to this Tribunal and renumbered as T.A. No.6145/2020.



4. Today, we heard Mr. Rakesh Sharma, learned counsel for the applicant and Mr. Rajesh Thapa, learned Deputy Advocate General.

5. The endeavour of the applicant is to get the benefit of reservation made in favour of persons living within the vicinity of IB/LAC. Though he was issued a certificate of residency within that area, it was cancelled thereafter. The Hon'ble High Court passed an interim order dated 03.02.2020 protecting the interest of the applicant. It was left open to him, to file a fresh certificate of residency, and in such an event, the respondents were directed to consider his case.

6. We, therefore, dispose of the TA in terms of the interim order dated 03.02.2020 passed by the Hon'ble High Court. There shall be no order as to costs.

**( Mohd. Jamshed )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

**March 16, 2021**  
/sunil/jyoti/vb/ankit