

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A.61/06732/2020

This the 7<sup>th</sup> day of July, 2021

**HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN  
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)**

Dev Raj, Age 51 years,  
S/o Shri Chiswa Ram,  
R/o Village Rangari,  
Tehsil Samba, Distt. Jammu. ....Applicant

(Advocate: Ms. Navdeep Kour for Mr Gagan Basotra)

**Versus**

1. State of J&K through Commissioner/Secretary to Govt. Public Works Department, J&K Government, Civil Secretariat, Srinagar/Jammu.
2. Chief Engineer, Ravi Tawi Irrigation, Jammu.
3. Superintending Engineer, Mechanical, Irrigation Flood & Control, Jammu.
4. Executive Engineer, Mechanical Division, Jammu.
5. Vijay Laxmi, Operator O/o Executive Engineer (Mech) Divn., Jammu.

.....Respondents

(Advocate:- Mr Sudesh Magotra, D.A.G.)

**ORDER (Oral)**

**Justice L. Narasimha Reddy, Chairman**

The applicant was working as an Operator or Helper on daily wages in the office of the Executive Engineer, Mechanical Division, Jammu. Through an order dated 29.04.2003, the Chief Engineer



Ravitavi Organization, Jammu promoted the 5<sup>th</sup> respondent and two others as Operators on a higher pay. Challenging the same, the applicant filed SWP. No. 842/2003 before the Hon'ble High Court of Jammu & Kashmir. According to him, the 5<sup>th</sup> respondent was junior to him and respondents overlooked his seniority.

2. The respondents filed a detailed counter affidavit. It is stated that the promotions were effected after inviting objections and the applicant did not raise any objection at all.

3. The SWP has since been transferred to the Tribunal in view of reorganization of the State of Jammu & Kashmir and renumbered as T.A. No.6732/2020.

4. Today we heard Shri Gagan Basotra, learned counsel for the applicant and Shri Sudesh Magotra, learned Deputy Advocate General for the respondents.

5. The applicant was aged 52 years, when the SWP was filed. By this time, the applicant would have been retired. Nothing remains to be decided at this stage.

6. T.A. is dismissed accordingly. There shall be no order as to costs.

**( Mohd. Jamshed )**  
**Member (Admn.)**

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

/sd/dsn/sunil/