

## Central Administrative Tribunal Jammu Bench, Jammu



T.A. No.9388/2020  
(S.W.P. No.1589/2007)

Wednesday, this the 19<sup>th</sup>day of May, 2021

(Through Video Conferencing)

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

Dr. SubhashChander Gupta, age 58 years  
s/o Sh. Channu Ram  
r/o 16-Priyadarshani, PattaPaloura, Jammu

..Applicant

(*Nemo*for applicant)

### VERSUS

1. State of J & K through  
Commissioner/Secretary to Govt.  
Animal Husbandry Department, J & K  
Govt., Civil Secretariat, Srinagar
2. Dr. Thoru Ram, Deputy Director  
Animal Husbandry Department, Jammu

..Respondents

(Mr. SudeshMagotra, Deputy Advocate General)

### ORDER (ORAL)

**Mr. Justice L. Narasimha Reddy:**

The applicant was appointed as Veterinary Assistant Surgeon in 1994 against the vacancy reserved in favour of SC category. He was promoted to the post of Livestock Development Officer (LDO) in 1994. He was also promoted to the post of Deputy Director in the year 2000 along with respondent No.2. The post of Joint Director became vacant. It is stated that the



respondent No.2 was promoted to the said post ignoring the seniority of the applicant. He retired from service on 30.09.2007. The applicant filed SWP No.1589/2007 before the Hon'ble High Court of Jammu & Kashmir, challenging the order dated 11.05.2007, whereunder the services of the applicant and respondent No.2 in the post of LDO were regularized and the applicant was shown as junior. The respondent No.2 was promoted against the vacancy, which was reserved for SC category.

2. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu & Kashmir and renumbered as T.A. No.9388/2020.

3. Today, there is no representation for the applicant. We perused the record and heard Mr. Sudesh Magotra, learned Deputy Advocate General.

4. The issue in this SWP/TA was about *inter se* seniority between the applicant and respondent No.2. The SWP/TA itself was filed long after the applicant retired from service. The question of seniority cannot be decided at this stage. Further, the respondents have clearly mentioned in their order dated 11.05.2007, the reasons on account of which the respondent No.2 was promoted.

5. We do not find any merit in the T.A. It is accordingly dismissed. There shall be no order as to costs.



**( TarunShridhar )**  
**Member (A)**

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

**May 19, 2021**  
/sunil/jyoti/sd/