



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No. 4307/2021
(SWP) No.1209/2008)

Thursday, this the 22nd day of July, 2021

(Through Video Conferencing)

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

1. Pawan Sharma, Aged 31 years
S/o Yog Raj Sharma,
R/o Village Gandli, R.S. Pura, Jammu
2. Sandeep Singh Charak, Aged 24 years
S/o Haqeeqat Singh Charak,
R/o Seri Bazar, Bhaderwah.
3. Anand Ashwani, Aged 29 years
S/o Late Ramesh Ashwani
R/o Toundwar, District Doda
4. Manjeet Singh, Age 29 years,
S/o Charanjeet Lal
R/o Muthi, Jammu

...Applicants

(Mr. Rakesh Jeet Singh, Advocate)

Versus

1. State of Jammu and Kashmir
Through Commissioner/ Secretary
Health and Medical Education Department
J&K Government, Civil Secretariat
Srinagar/Jammu
2. J&K Public Service Commission
Through its Secretary, Srinagar/Jammu
3. Commissioner Secretary,
Public Service Commission
Civil Secretariat, Srinagar/Jammu

...Respondents

(Mr. Sudesh Magotra, Deputy Advocate General for
respondent No.1 and Mr. F A Natnoo, Advocate for
respondent Nos. 2 & 3)



ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

The Jammu & Kashmir Public Service Commission, the 2nd respondent herein, issued an Advertisement on 15.03.2007 for appointment to the post of Medical Officer (Ayurvedic). 62 posts, together with the breakup of reservation, were notified. On 25.02.2008, the 2nd respondent published News Item, stating that the screening test/written test would be conducted for short-listing the candidates. However, on 11.09.2008, another News Item was published, stating that the selection would be done only on the basis of the interview and the short-listing would be done on the basis of marks obtained by the candidates in the Degree Examination. Feeling aggrieved by that, the applicants filed SWP No.1209/2008 before the Hon'ble High Court of Jammu & Kashmir. According to them, the change of the selection procedure, halfway through is impermissible in law. Various other contentions were also urged.

2. The 2nd respondent filed a detailed counter affidavit. It is stated that though the News Item was published, proposing to conduct the screening test alone, that decision was reviewed on 11.09.2008 and it was decided to conduct a screening test.



3. The SWP has since been transferred to the Tribunal in view of the reorganisation of the State of Jammu & Kashmir and renumbered as T.A. No. 4307/2021.

4. Today, there is no representation for the applicants. We perused the record and heard the arguments of Mr. Sudesh Magotra, learned Deputy Advocate General for respondent No.1 and Mr. F A Natnoo, learned counsel for respondent Nos. 2 & 3.

5. The grievance of the applicants was about the change of the selection procedure. The screening test, which was notified earlier, was dispensed with. The grievance of the applicants stood redressed with the review, made by the respondents on 11.09.2008 for conducting the screening test. Nothing remains to be decided in the T.A. at this stage.

6. Accordingly, the T.A. is dismissed as infructuous. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

July 22, 2021
/sunil/jyoti/daya/