

**Central Administrative Tribunal  
Jammu Bench, Jammu**



TA No. 3341/2020  
(SWP No. 759/2017)

This the 15<sup>th</sup> day of April, 2021

(Through Video Conferencing)

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

Dr. Najmus Saqib, Aged 30 years,  
Son of Mr. Bashir Ahmed Shah,  
R/o Village Palmar,  
Tehsil & District Kishtwar.

..Applicant

( Mr. Ravi Abrol, Advocate)

VERSUS

1. State of Jammu & Kashmir,  
Through Chief Secretary,  
Civil Secretariat, Jammu.
2. Commissioner/Secretary,  
Health & Medical Education,  
Department, Civil Secretariat, Jammu.
3. Director,  
Health Services, Jammu.

..Respondents

(Mr. Amit Gupta, Additional Advocate General)

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

The applicant is working as Medical Officer in the Health & Medical Education Service of Jammu & Kashmir. He intended to pursue DNB in Cardiology (Super Specialty) in Medanta, Medicity, Sector 38, Gurgaon. He sought permission of the Government to enable him to study the course. He filed SWP No.759/2017 challenging the action of the respondents in not according permission to him. On the strength of the interim order passed therein, the applicant is said to have completed the course.

2. The record discloses that the respondents did not file any counter affidavit.
3. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu & Kashmir and renumbered as TA No. 3341/2020.
4. We heard Mr. Ravi Abrol, the learned counsel for the Applicant, and Mr. Amit Gupta, learned Additional Advocate General, for the Respondents.



5. The effort of the applicant is to study the DNB (Super Speciality) in Cardiology. Since he is in the employment of the Government, permission was necessary. That not having been accorded, he filed SWP No. 759/2017 before the Hon'ble High Court of Jammu and Kashmir. An interim order dated 29.03.2017 was passed by the Hon'ble High Court, and on the strength of the interim order, the applicant is said to have completed the course. Now, he has to report to duty.

6. We, therefore, dispose of the TA leaving it open to the applicant to report to duty and for the respondents to pass orders in this behalf. There shall be no order as to costs.

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

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

lalit/ankit/dsn