

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/584/2021

This the 07th day of April, 2021

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. TARUN SHRIDHAR, MEMBER (A)



1. Falil Singh, Age 38 years, S/o Sh. Prem Singh, R/o Kotranka, Tehsil Kotranka, District Rajouri-185233.
2. Nazir Ahmad Khan, Age 40 years, S/o Abdul Rashid Khan, R/o Halmatpora, Tehsil & District Kupwara-193222.

.....Applicants

(Advocate:- Ms. Manpreet Kour)

Versus

1. Union Territory of J&K through Principal Secretary to Government, Home Department, Government of Jammu
2. Director General of Police, J&K and Kashmir Civil Secretariat, Jammu-180001. Police, Police Headquarter, Gulshan Ground Gandhi Nagar, Jammu-180004.
3. Addl. Director General of Police, Armed, J&K Jammu/Srinagar-180004.
4. Commandant, 1st BN, IR, Reasi-182311.
5. Commandant, JKAP 14th BN, Manasbal, Ganderbal-193504..

.....Respondents

(Advocate: Mr. Sudesh Magotra, Deputy Advocate General)

ORDER

ORAL

(Delivered by Hon'ble Mr. Tarun Shridhar, Member-A)

Learned counsel for the applicants submits that the applicants were appointed as Constable in J&K Police Department. The applicants were promoted to the rank of Selection Grade Constable in July 2017. The applicants who belong to J&K Police Central Sports Mountaineering Rescue Team successfully climbed Mount Everest on 21.05.2019 as member of Indian Police Mount Everest Expedition 2019 Mountaineering Expedition Team. Thereafter, the applicants approached their higher authorities for out of



turn promotion from the rank of Selection Grade Constable to Sub Inspector on the analogy of one SI Ram Singh who was given out of turn promotion in 2008 on scaling the Mt. Everest in the same year. The ADGP Armed J&K recommended the case of the applicants on the analogy of SI Ram Singh and forwarded it to DGP. The DGP also recommended the case of the applicants and forwarded it to Respondent No. 1. However, Respondent No. 1 has neither considered nor issued any order in the matter. With this background, the applicants seek a direction to respondent no. 1 to accord consideration to the case of the applicants for Out of Turn Promotion from the rank of Selection Grade Constable to the post of Sub Inspector like other similarly situated persons who have scaled Mt. Everest earlier and also in pursuance of recommendations of Additional Director General of Police, Armed Force Jammu vide communication dated 06.09.2012

2. We have heard Ms. Manpreet Kour, learned counsel for the applicants and Mr. Sudesh Magotra, learned Deputy Advocate General and perused the records.

3. It is a matter of record, that the applicants climbed Mount Everest on 21.05.2021. The Government extended the benefit of out of turn promotion to other similarly situated persons. The question as to whether the applicants climbed Mount Everest or not and whether they are eligible for out of promotion, needs to be examined by the respondents. We cannot express any definite view in this behalf. In case the applicant has actually participated and played the role as did others, as mentioned in O.A., they too would be entitled to such benefit. If on the other hand their participation was not that critical or important, the benefit need not be extended. A reasoned order needs to be passed in this behalf.

4. We, therefore, dispose of the O.A. directing the competent authority amongst the respondents to pass orders on the representation submitted by the applicants after verifying their record, within a period of four weeks from today. There shall be no order as to costs.



(TARUN SHRIDHAR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)