



## Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.4057/2020  
(S.W.P. No.1831/2003)

Wednesday, this the 20<sup>th</sup> day of January, 2021

(Through Video Conferencing)

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

Sh. Om Prakash Sharma, Aged 54 years, S/o Shri Man Chand  
Sharma, R/o Bera Batta, Tehsil Kishtwar, District Doda.

..Applicant

(Nemo for applicant)

**Versus**

1. State of Jammu and Kashmir through Commissioner-cum-Secretary to Govt; Health and Family Welfare, Medical Education Department, Civil Sectt., Srinagar.
2. Director Health Services, J&K Govt., Jammu.
3. Chief Medical Officer, Health and Family Welfare, Doda.
4. Block Medical Officer, Kishtwar.
5. Dr. Ajay Kumar Gupta, Ex B.M.O. Kishtwar, presently working as District Tuberculosis Officer (Centre) Kishtwar.
6. Sh. Ghulam Rasool Dohbi, S/o Rajab Dohbi, R/o Kishtwar, at present Health Educator, SDH, Kishtwar.
7. Sh. Ghulam Hussain, Health Educator (Dachhan Block), PHC Afti (Warwan) Tehsil Kishtwar.

...Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

### O R D E R (ORAL)

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

The applicant was initially appointed as a Field Worker on 19.06.1968 in the Health Department, Jammu & Kashmir. Thereafter, he was promoted as Basic Health Worker on



29.07.1985. Complaining that the respondent Nos. 6 & 7 were promoted to the post of Junior Health Inspector, though they were juniors to him, the applicant made several representations. Alleging that no action has been taken thereon, he filed SWP No.1831/2003 before the Hon'ble High Court of Jammu & Kashmir with multiple prayers i.e. to direct the respondents to dispose of the representations, to extend him the benefit of seniority and thereafter promotion; and other consequential benefits.

2. On behalf of the official respondents, the counter affidavit is filed, stating that the 6<sup>th</sup> respondent was promoted on account of the fact that he held the requisite qualifications.
3. In view of re-organization of the State of Jammu, the SWP has since been transferred to this Tribunal and registered as T.A. No.4057/2020.
4. There is no representation from the applicant. Today, we heard Mr. Sudesh Magotra, learned Deputy Advocate General and perused the records.
5. The grievance of the applicant was about the fixation of his seniority and consequential promotion. The official respondents categorically stated that the 6<sup>th</sup> respondent came to be promoted only because of his qualifications. At any rate, the applicant was aged 54 years when he filed SWP and he retired



from service somewhere in the year 2009. Nothing remains to be decided at this stage.

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

( Pradeep Kumar )  
Member (A)

( Justice L. Narasimha Reddy )  
Chairman

**January 20, 2021**

/sunil/dsn/sd/shakhi