

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/777/2021

This the 10th day of May, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)**

Rakesh Kumar, aged 35 years, (Group D), S/o Sh. Ram Saran, R/o Village Kashirah, Tehsil and District Udhampur.

.....Applicant

(Advocate:- Ms. Rani Kiyala for Mr. Sandeep Bhat)

Versus

1. Union Territory of Jammu and Kashmir, through Financial Commissioner to Government, Finance Department, Government of Jammu and Kashmir Civil Secretariat, Jammu-180001.
2. The Directorate General, Accounts & Treasuries, Finance Department, Civil Secretariat, Jammu-180001.
3. The Director, Accounts & Treasuries, Finance Department, Civil Secretariat, Jammu-180001.

.....Respondents

(Advocate: Mr. Amit Gupta, learned A.A.G.)

**O R D E R
[O R A L]**

(Delivered by Hon'ble Mr. Anand Mathur, Member-A)

The applicant was appointed as Orderly in the year 2011. The applicant is aggrieved of the action on the part of the respondents in framing Combined Tentative Seniority List of Jamadar, Orderlies and Chowkidars issued vide order bearing no. 42-Accts of 2020 dated 19.02.2020 on State level instead of District-wise, which is allegedly in violation of the Jammu and Kashmir Civil Services (Decentralization and Recruitment) Act, 2010 and Jammu and Kashmir Civil Services (Decentralization and Recruitment) Rules, 2010. It is the case of the applicant that the seniority list of Orderlies is required to be framed on District Cadre basis as post of Orderly is a District Cadre post. Hence the present O.A.





2. Learned counsel for the applicant submits that the applicant preferred a representation dated 09.03.2021(Annexure No. A-11 to the O.A.) before the respondents, however, no action has been taken on the same till date. He further submits that the applicant would be satisfied, if a direction is issued to the respondents to take a decision on the aforementioned representation within a stipulated time frame.

3. We have heard Ms. Rani for Mr. Sandeep Bhat, learned counsel for the applicant and Mr. Amit Gupta, learned A.A.G. for the respondents and perused the records.

4. Looking to the facts and circumstances of the case as well as the limited prayer made by the learned counsel for the applicant, we dispose of the O.A. with direction to Respondent No. 2 i.e., The Directorate General, Accounts & Treasuries, Finance Department, Jammu to take a decision on the representation dated 09.03.2021 (Annexure No. A-11 to the O.A.) by passing a reasoned and speaking order and communicate the decision so taken to the applicant within a period of two months from the date of receipt of certified copy of this order. The respondents are further directed that, if any seniority list is to be issued, the same should be prepared in accordance with relevant rules and regulations.

5. It is made clear that we have not entered into the merits of the case.

6. There shall be no orders as to cost.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)