



**Central Administrative Tribunal
Jammu Bench, Jammu**

T.A. No. 5763/2021
(SWP No.3021/2010)

Wednesday, this the 30th day of June, 2021

(Through Video Conferencing)

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

Rajeev Kumar Sharma, age 29 years
s/o Jagdish Raj Sharma, r/o Village Sungal
PO Pouni, Tehsil & District Reasi (J&K)

.Applicant

(Mr. R K Bhatia, Advocate)

Versus

1. State of Jammu and Kashmir, through Commissioner/Secretary to Government, Home Department, Civil Secretariat, Jammu
2. Director General of Police, Police Headquarters, Jammu
3. Deputy Inspector General of Police, Reasi-Udhampur, Range
4. Zahoor Ahmad Bhat s/o Mushtaq Ahmad r/o Taper Bia, District Baramulla (Kashmir)
5. Javed Hussain s/o Sharief Hussain r/o House No.5, Sector 3, Gujjar Nagar, Jammu
6. Rajveer Singh s/o Sh. Sewa Singh r/o Village Chak Nanak, Kathua at present 200/3 Raipur Satwari, Jammu

..Respondents

(Mr. Rajesh Thappa, Deputy Advocate General)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

The selection to the post of Sub Inspector took place in the year 2010. The applicant, respondent Nos. 4 to 6 and many

others were the candidates. The final selection list was published on 10.10.2010. While the respondent Nos.4 to 6 were selected under various categories, the applicant was shown at Sl. No.3 in the waiting list. He filed SWP No.3021/2010 before the Hon'ble High Court of Jammu & Kashmir, with a prayer to set aside the selection and appointment of respondent Nos. 4 to 6, and to consider his case.

2. The applicant contends that he holds the NCC 'C' & 'B' Certificates apart from attending the Republic Day Camp at Delhi and other events; and despite that, the adequate preference was not given to those accomplishments. He further submits that the selection of respondent Nos. 4 to 6 is not in accordance with law. Another contention of the applicant is that the interview was conducted in a slipshod manner and the entire process is vitiated.

3. The SWP has since been transferred to the Tribunal in view of re-organization of the State of Jammu & Kashmir and re-numbered as T.A. No.5763/2021.

4. Today, we heard Mr. R K Bhatia, learned counsel for applicant and Mr. Rajesh Thappa, learned Deputy Advocate General.

5. The subject matter of SWP is selection to the post of Sub Inspector, which took place in the year 2010. The applicant was not successful in the selection process. Obviously because he is at Sl. No.3 in the wait list, he made an attempt to challenge the appointment of respondent Nos. 4 to 6 with an idea that in case their appointment is set aside, he may stand a chance of being considered. The fact, however, remains that the respondent Nos. 4 to 6 belong to different categories and even if their selection is set aside, it would not benefit the applicant. On merits also, we are not convinced with the reasons mentioned by the applicant while attacking the selection of respondent Nos. 4 to 6.

6. Further, it is virtually inappropriate for the Tribunal to cancel the selection, which took place more than a decade ago, particularly when no grave irregularity is pleaded or proved in the selection process.

7. We do not find any merit in the T.A. It is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

June 30, 2021
/sunil/jyoti/