

Item No.2

**Central Administrative Tribunal
Jammu Bench, Jammu**

T.A. No. 4542/2020
(S.W.P. No.730/2015)

Wednesday, this the 28th day of April, 2021

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)

Dr. Suhail Raheem Rather
Aged 29 years
s/o Abdul Rehman Rather
r/o Nagam, Kokernag
District, Anantnag

..Applicant

(Mr. Nazir Ahmad Bhat, Advocate)

VERSUS

1. State of J&K through
Commissioner/Secretary to Govt.
Health and Medical Education Department
Civil Secretariat, Srinagar/Jammu
2. Director, Health Services, Kashmir Srinagar
3. Director, SKIMS, Soura, Srinagar
4. Principal, SKIMS Medical College, Bemina, Srinagar

..Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)



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

The applicant was appointed as Assistant Surgeon / Medical Officer in the Medical Department of Government of Jammu & Kashmir in the year 2014 on being selected by the Public Service Commission. On 04.04.2015, the Sher-i-Kashmir Institute of Medical Sciences (SKIMS) issued notification inviting the applications for Registrarship/Tutor/Demonstrator. The applicant intended to apply. However, it was not received by raising certain grounds. At that stage, the applicant filed SWP No.730/2015 before the Hon'ble High Court of Jammu & Kashmir with a prayer to direct the respondents to consider his case for Registrarship. The Hon'ble High Court passed an interim order on 20.04.2015, directing that the respondents shall entertain the application of the applicant in response to advertisement and the same shall be subject to the outcome of the SWP.

2. 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.4542/2020.

3. Today, we heard Mr. Nazir Ahmad Bhat, learned counsel for applicant and Mr. Sudesh Magotra, learned Deputy Advocate General.



4. The subject matter of the SWP/TA was the entitlement or otherwise of the applicant to get admitted to the Course of Registrarship. An interim order was passed way back in 2015. The duration of the Course itself is two years. It is not known whether the applicant has been admitted to the Course on the strength of the interim order passed by the Hon'ble High Court. In case, he is admitted, the Course would have been completed by this time. If on the other hand he is not admitted, nothing remains to be done. Either way, the T.A. becomes infructuous. It is accordingly dismissed. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

April 28, 2021
/sunil/maya/dsn/