

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 62/897/2021

This the 23rd day of June 2021

HON'BLE MR. ANAND MATHUR, MEMBER (A)

Robin Koul age 42 years, S/o M.K. Koul, R/o Village Sonawar Srinagar, Tehsil
and District Ganderbal-182204.

.....Applicant

(Advocate:- Mr. M I Sherkhan)

Versus

1. Union Territory of J&K through Commissioner cum Secretary to Govt. Rural Development Department, Civil Sectt; Jammu-193101.
2. Chairman, Jammu and Kashmir, Service Selection Recruitment Board Sehkari Bhawan, Near Bahu Plaza Jammu-180012.
3. Secretary, Jammu and Kashmir, Service Selection Recruitment Board Sehkari Bhawan, Near Bahu Plaza Jammu-180012.
4. Deva Nand, S/o Sh. Sham Dass, R/o kathua, C/o Commissioner/Secretary to Govt. Rural Development Department, Civil Sectt. Jammu-184101.
5. Rajinder Kumar, S/o Kishan Chand, R/o Kathua, C/o Commissioner Civil Sect Jammu-184101.

.....Respondents

(Advocate: Mr. Sudesh Magotra, learned D.A.G.)

ORDER
ORAL

Learned counsel for the applicant states that the applicant had applied for the post of Accounts Assistant Panchayat in the Ex-Serviceman category and was duly selected and placed at serial no. 80 of the select list dated 15.01.2021. However, the applicant has not been called to join the post and the reason given is that he had applied as an Ex-Servicemen before his tenure with Navy was over. Learned counsel referred to provisions



for applying through proper channel by attaching the no objection certificate issued by the Navy on 20.12.2019 (Annexure A-4 to the O.A.). The rules on the issue are placed at page 77 of the O.A. Further, two judgements of the Hon'ble High Court of Jammu and Kashmir have been annexed as Annexure A-4 to the O.A. wherein the Hon'ble High Court has upheld the rules regarding advance application by such candidates.



2. Learned D.A.G. states that the applicant was not actually an Ex-Serviceman on the cut of date for applying for the said post.

3. Heard Mr. M.I. Sherkhan, learned counsel for the applicant and Mr. Sudesh Magotra, learned D.A.G. for the respondents and perused the records.

4. Learned counsel for the applicant submits that the applicant would be satisfied, if a direction is given to the respondents to dispose of his representation and keep a post reserved for him till disposal of the representation.

5. Accordingly, in view of the limited prayer made by the learned counsel for the applicant, the O.A. is disposed of with direction to the respondents to consider the present O.A. along with representation submitted by the applicant and pass a reasoned and speaking order within a period of four weeks from the date of receipt of a certified copy of this order. Till disposal of the representation, one post be kept reserved for the applicant.

6. It is made clear that I have not entered into the merits of the case. No order as to costs.

(ANAND MATHUR)
MEMBER (A)

Arun