



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.5124/2020
(S.W.P. No.618/2017)

Tuesday, this the 23rd day of February, 2021

(Through Video Conferencing)

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

Ghulam Mohi-ud-din Shah, Aged 48 years, Son of Late Ghulam Mohammad Shah, Resident of Baharabad Sumbal Sonawari, Kashmir.

.. Applicant
(Through Mr. M A Qayoom, Advocate)

Versus

1. State of J&K through Principal Secretary to Govt., Revenue Department, Civil Secretariat, Srinagar/Jammu.
2. Deputy Commissioner, Bandipora.
3. Assistant Commissioner, Bandipora.
4. Sub Divisional Magistrate, Sonawari.
5. Tehsildar, Sumbal, Sonawari.

.. Respondents

(Through Mr. Rajesh Thapa, Deputy Advocate General vice Mr. Amit Gupta, Additional Advocate General)



ORDER (ORAL)

Justice L. Narasimha Reddy:

The applicant is working as Patwari in the Revenue Department in Sumbal Tehsil of Bandipora District. Stating that complaints are received against the applicant and two other Patwaris, the Tehsildar Sumbal, Sonawari passed an order dated 23.03.2017, transferring the applicant from Shilvat/Rakhi Shilvat to Tehsil Office. Challenging the same, the applicant filed SWP No. 618/2017 before the Hon'ble High Court of Jammu and Kashmir. An interim order was passed staying the operation of the impugned order.

2. The respondents filed a detailed counter affidavit. It is stated that the applicant is facing serious charges of corruption and bribery and repeated admonitions made by the authorities, did not make any effect on him. It is also stated that the inhabitants of Shilvat, have submitted complaints regarding the corrupt activities of the applicant, and taking the same into account, the order of attachment was passed and that no exception can be taken to it.

3. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu and Kashmir and renumbered as TA No. 5124/2020.

4. Today, we heard Mr. M.A. Qayoom, learned counsel for the applicant and Mr. Rajesh Thapa for Mr. Amit Gupta, learned Additional Advocate General for respondents.

5. A perusal of the impugned order discloses that the serious complaints were received from the residents of the respective localities alleging acts of corruption and as a corrective measure, the Tehsildar Sumbal, Sonawari, attached the applicant to the Tehsil Office. It is just un-understandable as to what prejudice the applicant has suffered on account of such a step. The allegations were very serious in nature and those of corruption. The Authorities cannot remain silent spectators to such irresponsible and abnormal behavior on the part of the applicant.

6. We do not find any merit in the T.A. and accordingly the same is dismissed. The interim order shall stand vacated.

There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

February 23, 2021
/sd/sunil/jyoti/dsn