

**Central Administrative Tribunal
Jammu Bench, Jammu**

T.A. No. 6123/2020
(S.W.P. No.1880/2012)

Monday, this the 3rd day of May, 2021

(Through Video Conferencing)

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

Nazir Ahmad Hajam, aged about 50 years
s/o Abdullah Fateh Hajam,
r/o Khawaja Bazar Baramulla, J & K

..Applicant

(Nemo for applicant)

VERSUS

1. State of Jammu & Kashmir through
Commissioner-Secretary to Govt.
Forest Department,
Civil Secretariat, Srinagar
2. Chief Wild Life Warden, Jammu & Kashmir
Government, Srinagar
3. Conservator of Forests (Wild Life)
Regional Wild Life Warden Kashmir
Region at Srinagar

..Respondents

(Mr. Rajesh Thappa, Deputy Advocate General)



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

The applicant was appointed as a Forest Guard (Matric) on 18.05.1980. In the context of making promotion to the next higher grade, i.e., Forester, a tentative seniority list was conveyed to the Departmental Promotion Committee (DPC) on 04.02.2012. The applicant was shown at Sl. No.2 in that list. Shortly thereafter, i.e., on 14.05.2012, another tentative list was prepared and the applicant was shown at Sl.No.61 in that list. The reason for change of such position was not indicated. The applicant filed SWP No.1880/2012 before the Hon'ble High Court of Jammu & Kashmir with a prayer to restore his seniority at Sl.No.2.

2. The SWP has since been transferred to the Tribunal in view of reorganization of the State of Jammu & Kashmir and renumbered as T.A. No.6123/2020.

3. Today, there is no representation for applicant and we heard Mr. Rajesh Thappa, learned Deputy Advocate General; and perused the record.

4. This is not a case in which the challenge is to a final seniority list. For whatever reasons, the respondents prepared



two tentative seniority lists for the post of Forest Guard (Matriculate); one on 04.02.2012 and another on 14.05.2012. In the 1st one, the applicant was shown at Sl.No.2, whereas in the 2nd one, he was shown at Sl.No.61. The basis appears to be the date on which the matriculation qualification was obtained by the employees. There again, the consistency is not found. It is not known as to whether the respondents have published any final seniority list. Almost a decade has elapsed ever since the SWP was filed.

5. We, therefore, dispose of the T.A., directing the respondents to convey the final seniority list of the Forest Guard (Matriculate), if it is already published. If on the other hand no such final seniority list is prepared, the steps shall be taken to prepare it, within two months from the date of receipt of a copy of this order, duly taking into account the objections, if any, raised to the tentative seniority list.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

May 3, 2021
/sunil/jyoti/sd/