



# Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.6363/2020  
(SWP No.118/2006)

Monday, this the 22<sup>nd</sup> day of February, 2021

(Through Video Conferencing)

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

Mohd. Ismail Parray & another ...Applicants

(Mr.Z.A.Qureshi& Associates, Advocate)

## **Versus**

D/o Health & Medical Education, ...Respondents  
UT of J&K & others

(Mr. Rajesh Thapa, Deputy Advocate General)

## **ORDER (ORAL)**

### **Mr. Justice L. Narasimha Reddy:**

The applicants were holding the post of ECG Technicians in the Health and Medical Department, Jammu & Kashmir. The next promotion is to the post of Technical Supervisor. They made a representation to the Government of J&K complaining that there were no promotional avenues for them and requested them to release the grade which was paid to their counterparts in other departments, from the date they have been appointed and working as Technical Supervisors,

i.e., w.e.f. 17.09.1983. Since there was no response, they got issued a legal notice.

2. An order dated 25.07.1997 was issued by the Government of J&K, whereby two posts of Technical Supervisors were created by abolishing certain posts. The applicants were made to work, against the posts. Thereafter the applicants made a claim for upgradation of their posts. When their request was not acceded to, they filed SWP.No.415/2002. In compliance with the directions issued therein, the respondents passed an order granting the benefit of higher pay scale w.e.f. 29.07.2005. Not satisfied with that, the applicants filed the present SWP.118/2006 challenging the order dated 29.07.2005 and for extending the benefit of higher pay scale w.e.f. 17.09.1983.

3. The respondents did not file any counter affidavit.

4. The SWP has since been transferred to the Tribunal in view of re-organization of the State of Jammu and Kashmir and re-numbered as TA No.6363/2020.

5. Today we heard Mr. Z. A. Qureshi, learned counsel for the applicant and Mr. Rajesh Thapa, learned Advocate General for the respondents.

6. This is the third round of litigation by the applicants for their higher post and emoluments. In the first round, a

direction was issued for considering the feasibility of creating promotional post. Though they are from different category, the applicants were accommodated. Thereafter, they have requested for upgradation of the post. One just cannot expect such a measure in any administration. The applicants would have retired by this time and nothing survives to be decided in this case.

7. Accordingly the TA is dismissed. There shall be no order as to costs.

( **Pradeep Kumar** )  
**Member (A)**

( **Justice L. Narasimha Reddy** )  
**Chairman**

**February 22, 2021**  
/sunil/akshaya/sd