



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.7918/2020
(S.W.P. No.2277/2011)

Monday, this the 11th day of January, 2021

(Through Video Conferencing)

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

Ghulam Rasool Mir, aged 56 years
s/o Mohammad Sujltan Mir
Forest Guard, I/C Berat Guard Nilnag Block

..Applicant

(Nemo for applicant)

Versus

1. State of Jammu and Kashmir Through Commissioner
Secretary to Government
Forest Department Civil Sectt
Srinagar
2. Principal Chief Conservator of Forests J & K Srinagar
3. Conservator of Forests Kashmir Srinagar
4. Divisional Forest Officer, Pir Panbchal Forest Division
Budgam
5. Range Officer, Forest Rang Dood Ganga

..Respondents

(Mr. Rajesh Thapa, Deputy Advocate General)

O R D E R (ORAL)

Mr. Justice L. Narasimha Reddy:

The applicant was working as Incharge Beat Guard in the Forest Department of Jammu. Through an order dated



03.10.2011, the Divisional Forest Officer, Pir Panjal Forest Division, Budgam transferred the applicant and posted to S. 16-19 Sukhnag Range, pending inquiry of the damage case. Feeling aggrieved by that, the applicant filed SWP No.2277/2011 before the Hon'ble High Court of Jammu & Kashmir. Conditional interim order was passed by the Hon'ble High Court on 18.10.2011 directing that in case the order of transfer has not already been acted upon, the operation of the impugned order shall remain stayed. It was also directed that the interim order shall not come in the way of respondents in passing any order of transfer or initiating any departmental inquiry.

2. In view of re-organization of the State of Jammu, the SWP has since been transferred to this Tribunal and registered as T.A. No.7918/2020.

3. Today, there is no representation on behalf of the applicant. We heard Mr. Rajesh Thapa, learned Deputy Advocate General, for the respondents, through video conferencing.

4. The applicant was transferred vide order dated 03.10.2011. 15 days thereafter, the Hon'ble High Court passed an interim order dated 18.10.2011, which is to the effect that in case the impugned transfer order is not acted upon, it shall remain stayed. Therefore, the order of transfer operated against the applicant.

Item No.13



5. Be that as it may, nine years have elapsed since the impugned order was passed. Added to that, the applicant retired from service somewhere in the year 2015. Hence, the T.A. has become infructuous and it is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

January 11, 2021

/sunil/dsn/sd/arun