



**Central Administrative Tribunal
Jammu Bench, Jammu**

TA No.976/2021
(SWP No. 1187/2001)

Wednesday, this the 12th day of May, 2021

(Through Video Conferencing)

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

GhulamMohi-ud-din Rather
S/o Ghulam Mohammad Rather
R/o Khwaja Sahib, Baramulla
Age 49 years.

...Applicant

(Nemo for applicant)

VERSUS

1. State of Jammu & Kashmir
Through Commissioner/Secretary to Government
Tourism Department J&K
Civil Secretariat, Srinagar.
2. Comm./ Secretary to Govt.
General Administration Department
Civil Secretariat, Srinagar.
3. Director General Tourism J&K
Srinagar.

...Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

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

The applicant was appointed as Tourist Officer in the Tourism Department of Jammu & Kashmir in the year 1996. He was promoted to the post of Assistant Director. It is stated that the applicant and some other officers were extended the benefit of higher scale of pay, through an order dated 26.03.1999, but within a month, i.e., on 26.04.1999, another order was passed withdrawing the earlier order. The applicant filed SWP No. 1187/2001 before the Hon'ble High Court of Jammu & Kashmir, challenging the order dated 26.04.1999, through which the earlier order was withdrawn. He raised several contentions in support of his claim.

2. The record discloses that the respondents did not file any counter affidavit.

3. The SWP has since been transferred to the Tribunal in view of the reorganisation of the State of Jammu & Kashmir and renumbered as T.A. No. 976/2021.

Item No. 7



4. Today, there is no representation for the applicant. Since it is one of the oldest matters, we perused the record and heard Mr. Sudesh Magotra, learned Deputy Advocate General.

5. It is rather curious to note that the respondents passed an order dated 26.03.1999 extending certain benefits, but shortly thereafter, another order dated 26.04.1999 was passed withdrawing the earlier order. What is more curious is that the applicant filed SWP No.1187/2001 as though he felt aggrieved by the steps taken by the respondents. It is not a case where any rights have accrued to the applicant within the two orders.

6. The T.A. is frivolous and is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

May 12, 2021
/sunil/jyoti/dsn/