

Item No.3

**Central Administrative Tribunal
Jammu Bench, Jammu**

O.A. No.1299/2020

Wednesday, this the 7th day of April, 2021

(Through Video Conferencing)

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



Zubair Ahmad Bhat, aged 30 years
s/o Ghulam Ahmad Bhat
r/o Gulshanpora, Maloora, Srinagar

..Applicant

(Mr. Feroz Parrey, Advocate)

VERSUS

1. Union Territory of Jammu & Kashmir
Through Commissioner-cum-Secretary
Home Department, Civil Secretariat
Jammu/Srinagar
2. Director General of Police J & K,
Srinagar
3. Inspector General of Police,
Kashmir Zone Srinagar
4. Senior Superintendent of Police,
Bandipora Kashmir
5. SHO P/s Parimpora Srinagar

..Respondents

(Mr. Rajesh Thappa, Deputy Advocate General)

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

The applicant was appointed as Constable in the Executive Police of Jammu & Kashmir on 24.05.2011. However, he was discharged from service, through order dated 25.09.2019 by stating that he remained absent from 03.09.2018 and despite repeated reminders, he did not join the duty. He filed this O.A. with a prayer to direct the respondents to reinstate him into service initially as Constable and treat his absence as on duty; and to release the attendant benefits.

2. Today, we heard Mr. Feroz Parrey, learned counsel for applicant and Mr. Rajesh Thappa, learned Deputy Advocate General.

3. It is a matter of record that the applicant was discharged from service, through order dated 25.09.2019. However, he did not challenge the said order in the O.A. There is not even a reference of that in the O.A. Further, the record is silent as to whether the applicant has preferred an appeal at all. Even now, the applicant can avail the remedy.

4. We, therefore, dispose of the O.A. leaving it open to the applicant to prefer an appeal against the order dated 25.09.2019

to the concerned authority. If it is preferred within four weeks from the date of receipt of a copy of the order, it shall be entertained by the Appellate Authority without raising any objection as to limitation; and shall be disposed of within three months thereafter. There shall be no order as to costs.



(Anand Mathur)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

April 7, 2021

/sunil/rk/dsn