



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.9141/2020
S.W.P. No.1248/2011

Monday, this the 22nd day of March, 2021

(Through Video Conferencing)

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

Ghulam Mohammad Wani
Aged 55 yrs.
S/o Abdul Ahad Wani
R/o Saloor, Ganderbal

..Applicant

(Mr. S A Makroo, Advocate)

VERSUS

1. State of Jammu and Kashmir through
Commissioner/Secretary to Govt.
Health & Medical Education Department
Civil Secretariat, Srinagar/Jammu.
2. Principal, Govt. Medical College, Srinagar.
3. Personal Officer
Govt. Medical College, Srinagar.
4. Administrative Officer
Govt. Medical College, Srinagar
5. Accounts Officer
Govt. Medical College, Srinagar
6. Mohammad Yaqoob
Electronic Technician
C/o Principal Govt. Medical College
Srinagar.

..Respondents

(Mr. Rajesh Thappa, Dy. Advocate General)

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

The applicant was working as Senior X Ray Technician in the Government Medical College, Srinagar. Initially, a tentative seniority list for Electronic Technician, Senior X-Ray Technician, MRI Technician, Junior MRI Technician and X-Ray Technician of Government Medical College, Srinagar was published on 26.07.2010 and objections were invited. On consideration of objections, a final seniority list was published on 09.05.2011. The applicant figured at S. No. 2 in the list of X-Ray Technician category. The 6th respondent was shown as the only person in the Electronic Technician/Senior X-Ray Technician category. The applicant filed SWP No. 1248/2011 before the Hon'ble High Court of Jammu & Kashmir, challenging the final seniority list dated 09.05.2011. According to him, the 6th respondents ought not to have been shown above him.

2. The respondents filed a counter affidavit, stating that the seniority list was published strictly in accordance with law.

3. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu & Kashmir and renumbered as TA No. 9141/2020.

4. Today, we heard Mr. S. A. Makroo, learned counsel for the applicant and Mr. Rajesh Thappa, learned Deputy Advocate General.



5. The record discloses that a group of posts is treated at par, in the context of preparation of seniority list. At the same time, three sub-categories are shown in the impugned seniority list. The applicant figured at Sl. No. 2 in the seniority list for Senior X-Ray Technician, Junior X-Ray Technician, MRI Technician in the pay scale of Rs. 9300-34800 with Grade Pay of Rs. 4200/-. He does not have any grievance vis-à-vis the person, who is placed at Sl. No. 1 in that list. The 6th respondent was placed in the seniority list pertaining to Electronic Technician/Senior MRI Technician in pay scale of Rs. 9300-34800 with Grade Pay of Rs. 4400/-. The 3rd category is X-Ray Technician for whom the Grade Pay is Rs. 4000/-. The applicant cannot compare himself with an employee whose Grade Pay is higher. At any rate, the applicant has retired from the service long time ago and at this stage, nothing remains to be decided.

6. We, therefore, dismiss the T.A. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

March 22, 2021
/sunil/jyoti/vb/ankit/