

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/1397/2021

This the 30th day of March, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)**

Farooq Ahmad Bhat, Aged 45 years, Son of Ali Mohammad Bhat, Resident of Nehru-Park, Srinagar,

.....Applicant

(Advocate:-Mr. Sheikh Faraz Iqbal)

Versus

1. State of Jammu & Kashmir through Commissioner cum Secretary to Government Home Department, Civil Secretariat, Jammu/Srinagar.
2. Director General of Police, J&K Government Srinagar.
3. Additional Director General of Police Armed Srinagar.
4. Inspector General of Police, Kashmir.

.....Respondents

(Advocate: Mr. Amit Gupta, A.A.G)

**O R D E R
[O R A L]**

(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)

Learned counsel for the applicant submits that the respondents have been granting out of turn promotion to other employees for Outstanding performance in Sports but same and similar treatment has been denied to the applicant who is entitled to two out of turn promotions in spite of recommendations in his favour.

2. The brief facts of the case are that the applicant was appointed as Constable in J&K Armed Police vide order dated 18.11.2000. The applicant however, being an outstanding sportsman displayed extraordinary performance in the field of Sports and



was engaged as Paddler in various Police Championships held across the Country. From 2002 to 2004 the applicant bagged 06 Silver Medals and 03 Bronze Medals at national level as Paddler. The applicant having displayed extraordinary merit in the field of sport as a player of the Police Organization at national level was entitled to out of turn promotion and accordingly made various representations for same. However, no orders were passed in favour of the applicant.



3. It has been submitted that one Gurjeet Singh was granted out of turn promotion to the post of Head Constable for his outstanding performance in Sports vide order dated 27.06.2001. Similarly, Constables Zahoor Ahmad and Feroz Ahmad were granted out of turn promotion for Outstanding performance in Water Sports Championship of September-October 2003 vide order dated 10.06.2004. One SgCt. Radha Devi was granted out of turn promotion to the rank of Head Constable vide order dated 05.03.2005 for outstanding performance in Boxing Championship in December 2004. Further, Head Constable Vivek Khajuria was promoted out of turn as ASI vide order dated 14.05.2007 for Outstanding performance in Handball Game. Constable Tahir Ahmad was also promoted out of turn to the rank of Sgct vide order dated 19.04.2008. However, the case of the applicant was ignored even though he had earned 06 Silver Medals and 03 Bronze Medals in Four National Level Championships.

4. It has been further submitted that the case of the applicant has been recommended for out of turn promotions from time to time by the Department but orders have not been passed.

5. We have heard Mr. M Y Bhat, learned counsel for the applicant and Mr. Sudesh Magotra, learned D.A.G. for the respondents and perused the records.



6. It is the contention of applicant that the respondents have granted out of turn promotion to other employees for Outstanding performance in Sports but same and similar treatment has been denied to the applicant. The question as to whether the applicant can be granted out of turn promotion as Selection Grade Constable for Outstanding performance as Player w.e.f., from 2002 and promotion as Head Constable w.e.f., 2006 for Outstanding performance as Coach, needs to be examined by the respondents. We cannot express any definite view in this behalf. In case the applicant has actually participated and played the role as has been mentioned in the T.A., he too would be entitled to such benefit. If on the other hand his participation was not that critical or important, the benefit need not be extended. A reasoned order needs to be passed in this behalf.

7. We, therefore, dispose of the TA directing the competent authority amongst the respondents to pass orders on the representation submitted by the applicant after verifying his record, within a period of four weeks from the date of receipt of certified copy of this order.. There shall be no order as to costs.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)