

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 62/501/2021

This the 22nd day of March, 2021

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



Suvida Thathoo age 26 years, D/o Sh. Ashok Kumar, Thathoo, R/o Shopian Tehsil Shopian District Baramullah, Kashmir-193101.

.....Applicant

(Advocate:- Mr. M.I. Sher Khan)

Versus

1. The Union Territory of Jammu and Kashmir through Commissioner cum Secretary to Govt. Animal Husbandry Department, Civil Secretariat, Jammu-193101.
2. Director Animal Husbandry Department, Kashmir-193101.
3. Joint Director/Deputy Director, Animal Husbandry Department, Kashmir-193101.
4. Chief Animal Husbandry Officer Baramulla, Kashmir-193101.

.....Respondents

(Advocate: Mr. Amit Gupta, Additional Advocate General)

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

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

The applicant Suvida Thathoo is aggrieved of the impugned order no. 1476-DAHK of 2020 dated 15.12.2020 & No. DAHK/Est/374/13280-86 dated 15.12.2020 issued by Respondent No. 2 whereby the appointment order issued in favour of the applicant has been kept in abeyance till clarification is received from the competent authority regarding his certificate. Hence, the present O.A.

2. We have heard Mr. M I Sher Khan, learned counsel for the applicant and Mr. Amit Gupta, learned A.A.G. for the respondents and perused the records.



3. It has been submitted by the learned counsel for the applicant that the action of Respondent No. 2, is not allowing the applicant to join duty in view of her appointment and the impugned order dated 15.12.2020 by virtue of which appointment order issued in favour of the applicant as Junior Assistant in Animal Husbandry Department, Kashmir, under Prime Minister Package for Kashmiri Migrants against the supernumerary post, vide office order no. 1285-DAHK of 2020 dated 23.10.2020 has been kept in abeyance till clarification is received from the competent authority is illegal, arbitrary and in violation of the Article 14 and 16 of the Constitution of India.

4. Looking to the facts and circumstances of the case, we dispose of the O.A. with direction to the respondents to take a decision as to whether the certificate furnished by the applicant is correct/genuine or not and communicate the decision to the applicant in writing within a period of three weeks from the date of receipt of certified copy of this order.

5. It is made clear that we have not entered into the merits of the case.

6. There shall be no orders as to cost.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)