

Sr. No.01
Regular List.

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CCP(D) No. 45/2022 in
LPA No. 130/2022

Syed Arshid Tramboo

...Petitioner(s)/Appellant(s)

Through: Mr. M. M. Dar, Advocate.

Vs.

Sh. Rakesh Kumar Srangal & Ors.

...Respondent(s)

Through: Mr. A. Haqani, Sr. Advocate with
Ms. Muneeba, Advocate.
Mr. Jahangir Dar, GA.

CORAM:

HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE
HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER
23.12.2024

1. The learned writ Court vide order dated 28th April, 2022 while allowing the writ petition filed by the petitioner held him entitled to the promotion for the post of Dy. General Manager (Maintenance) in the respondent-Corporation w.e.f, 11th February, 2013 and as General Manager w.e.f, 11th February, 2018 with all consequential service benefits. The said judgment was assailed in LPA and the Division Bench vide its order dated 4th August, 2022 set-aside the said directions by directing the respondent-Corporation to finalize case of the petitioner for promotion as DGM strictly in conformity with the rules and subsequently if petitioner becomes entitled for being promoted as GM, the same be given from the date the petitioner becomes eligible with all consequential benefits. Simultaneously the Corporation was directed to place the petitioner at an appropriate place in the seniority list once the decision is taken by the competent authority with regard to his eligibility, merit coupled with seniority for

the post of DGM and subsequently for the post of GM (if he is entitled).

2. The respondents No. 1 has filed the compliance report, stating that the Establishment cum Finance committee in its meeting held on 21st May, 2024 has accorded due consideration to the claim of the petitioner for his promotion/regularization to the post of General Manager in the light of the Regulations of 2013 and it was found that much before attaining the eligibility of five years experience for the post of Dy. General Manager w.e.f, 18th April 2017, the petitioner attained superannuation on 31st of January, 2021.
3. The petitioner has filed response to the compliance report filed by the respondent-Corporation, stating therein that the petitioner was entitled to promotion as Dy. General Manager w.e.f, the year 2007 and not 2017 as done by the respondent-Corporation. It is further contended that the petitioner was entitled to the promotion as General Manager w.e.f, 2012.
4. Be that as it may, the petitioner if aggrieved of the consideration order dated 29th June, 2024 can avail the appropriate remedy as available under law, but after perusing the whole record, we are of the considered view that the respondent No. 1 has complied the order passed by the Court.
5. Accordingly, proceedings in the present contempt petition are closed, leaving the petitioner free to avail the appropriate remedy as available under law.

(MOHD YOUSUF WANI)
JUDGE

(RAJNESH OSWAL)
JUDGE

SRINAGAR:

23.12.2024

"Abdul Rashid"