

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP(C) No. 331/2025
CM No. 723/2025
Cav No. 274/2025

1. Union Territory of Jammu & Kashmir
through Secretary to Government,
Health & Medical Education Department,
Civil Secretariat, J&K, Srinagar/
Jammu-180001
2. Secretary, J&K Public Service Commission,
Resham Ghar Colony, Jammu-180001
3. Director, Health Services, Jammu-180001
4. Principal, Government Medical College,
Kathua-184101

..... Petitioner(s)

Through: Ms. Monika Kohli, Sr.AAG

Vs

Dr. Ashanka Bhardwaj Age 36 years
D/o Sh. Rajinder Kumar Sharma
R/o VPO Kote, District Jammu-181206

..... Respondent(s)

Through: Mr. Abhinav Sharma, Sr. Advocate with
Mr. Abhirash Sharma, Advocate

**Coram: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MA CHOWDHARY, JUDGE**

ORDER

25.02.2025

Cav No. 274/2025

With the appearance of learned counsel for the caveator, the Caveat stands discharged.

WP(C) No. 331/2025

1. The writ petition in hand has been filed by the petitioners seeking quashing of the order dated 25.10.2024 passed in O.A./1174/2024 and order dated 31.12.2024 and the subsequent orders passed by the Central Administrative Tribunal, Jammu in C.P No. 402/2024 in O.A./1174/2024 titled “Dr. Ashanka Bhardwaj Vs UT of J&K & Ors.”

2. A perusal of the impugned order dated 25.10.2024 reveals that the operation of the Govt. Order No. 654-JK(HME) of 2024 dated 01.10.2024, insofar as it pertains to the appointment of Dr. Shahid Farooq/Respondent No. 6 therein, as Assistant Professor (Dentistry) in GMC, Kathua and the relieving order bearing No. GMCK/E-I/2024-25/485-88 dated 03.10.2024, whereby the applicant has been relieved as Assistant Professor (Dentistry) on academic arrangement basis have been stayed and directed to list the matter on 13.11.2024 along with O.A. No. 980 of 2024.

3. Ms. Monika Kohli, learned Sr.AAG appearing for the petitioners submits that since the respondent herein has already been relieved and the respondent No. 6 before the Tribunal, namely, Dr. Shahid Farooq, who had been selected and appointed through a proper selection process, had joined on 31.10.2024, therefore, it was practically very difficult to allow the respondent to join back because there was no vacancy, as such, the petitioners herein have filed the application seeking modification and vacation of the impugned order dated 25.10.2024 along with reply to the O.A. on behalf of the respondents before the Tribunal on 10.12.2024, however, the Tribunal has not considered the same as on today. It is also submitted that vide order dated 14.02.2025, the Tribunal has directed to attach the salary of the Principal, Govt. Medical College, Kathua till the order dated 25.10.2024 is complied with.

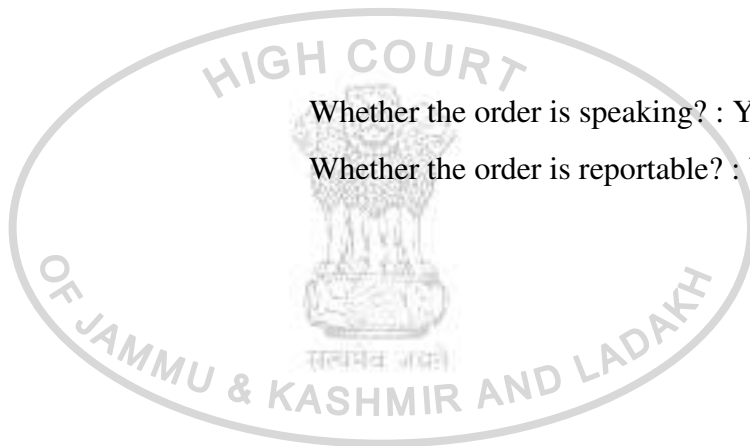
4. Since, vide impugned order dated 25.10.2024 the Tribunal has passed the interim direction till next date of hearing, which cannot be construed to be the final wording in any sense, as such, we are not inclined to entertain the present petition.

5. Accordingly, the writ petition in hand is **dismissed** along with the connected application(s). However, we direct the Registrar of the Central Administrative Tribunal, Jammu to prepone the next date fixed in O.A./1174/2024 titled “*Dr. Ashanka Bhardwaj Vs UT of J&K & Ors.*” and list the same on 04.03.2025 instead of 11.03.2025. We also request the learned Tribunal to consider the response filed by the petitioners herein to the O.A./1174/2024 as also the application seeking modification/alteration, if any pending, on its own merits on the next date of hearing.

(MA Chowdhary)
Judge

(Tashi Rabstan)
Chief Justice

Jammu
25.02.2025
Pawan Angotra



Whether the order is speaking? : Yes/No

Whether the order is reportable? : Yes/No