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

WP(C) No. 718/2025

CM No. 1763/2025

**Javaid Ahmad Khan**

..... Petitioner (s)

Through: Mr. Bhat Fayaz, Adv.  
with Mr. Suhail Mehraj, Adv.

V/s

**Union Territory of J&K & Ors**

..... Respondent(s)

Through: Mr. A R Malik, Sr. AAG  
with Mr. M Younis, AC  
Mr. Bikramdeep Singh, Dy. AG  
Mr. Illyas Laway, GA

**Coram:**

**Hon'ble Mr. Justice Rajnesh Oswal, Judge.**

**Hon'ble Mr. Justice Mohd Yousuf Wani, Judge**

**ORDER**

02.04.2025

1. This writ petition has been filed by the petitioner impugning the order dated 09.12.2024 whereby the application filed by the petitioner was disposed by the learned Central Administrative Tribunal, Srinagar Bench (in short, the Tribunal) by directing the respondents to take note of the medical report dated 08.10.2024 constituted as per the direction of the Tribunal and accordingly

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consider the case of the petitioner for placing/transferring him at a suitable place.

2. Learned counsel for the petitioner has submitted that the petitioner shall restrict his claim only to the extent of release of salary w.e.f 18<sup>th</sup> May 2023 till 9<sup>th</sup> December 2024.
3. Issue notice to the respondents.
4. Mr. A R Malik, learned Sr. AAG, Mr. Bikramdeep Singh, learned Dy. AG and Mr. Illyas Laway, learned GA accepts notice on behalf of the respondents. They submit that the reply is not required in the instant case and in view of the short submission made by learned counsel for the petitioner, appropriate order as deemed proper be passed.
5. Heard learned counsel for the parties.
6. The petitioner had impugned order dated 18.05.2023 whereby he was posted in Kralpora Redi, Chowkibal, District Kupwara along with the Government Order dated 30.04.2023 so far as it pertained to the petitioner only, before the learned Tribunal and the learned Tribunal vide interim order dated 19.05.2023 passed in OA No. 400/2023, stayed the impugned order of deputation of the petitioner and directed him to work in the office of

respondent No. 3 i.e, Executive Engineer, SMC, City Road Division, Srinagar.

7. Response was filed by the respondents opposing the application filed by the petitioner.
8. During the pendency of the petition, the learned Tribunal constituted a Medical Board for examination of the petitioner and the Board submitted its report dated 08.10.2024. The learned Tribunal by taking into consideration the submissions made by the parties, disposed of the application filed by the petitioner in terms of order dated 09.12.2024 as extracted hereinabove. However, the learned Tribunal has not passed any order for the release of the salary, though vide interim order dated 27.09.2023, the learned Tribunal had directed the respondents to release the salary of the petitioner if he had worked for the said period.
9. In view of the short controversy involved in respect of the salary for the period mentioned above and more particularly taking into consideration that the learned Tribunal had allowed the petitioner to work in the office of the respondent No. 3, we dispose of this petition by upholding the order passed by the

learned Tribunal and further direct the respondents to coordinate with each other so as to ensure that the salary for the period mentioned above is released in favour of the petitioner. Needless to say that the learned Tribunal had already directed the respondents to release the salary and the said direction was never opposed by the respondents by laying any appropriate motion.

10. Disposed of as above.

(Mohd Yousuf Wani)  
Judge

(Rajnesh Oswal)  
Judge

SRINAGAR

02.04.2025

*Aasif*