

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

CJ Court

**WP(C) No.1964/2025
CM No.5205/2025**

Firdoce Ahmad Itoo, aged: 62 years
S/o Nazir Ahmad Itoo
R/o Alqadoous Lane, Naik Bagh,
Natipora, Srinagar, 190015.

...PETITIONER(S)

Through: - Ms. Iyenain Tasaduq, Advocate.

Vs.

1. Union Territory of J&K, through Commissioner/
Secretary to Govt. Skill Development Department,
Civil Secretariat, Srinagar-190001.
2. Director, Skill Development Department, J&K,
Bemina, Srinagar-190018.
3. Accountant General, J&K, Srinagar-190001.

...RESPONDENT(S)

*Through: - Mr. Mubashir Malik, Dy. AG
Ms. Rekhan Wangnoo, GA.
Shri Shahzad Alam, Director Skill
Development Department, J&K, Bemina,
Srinagar, present through virtual mode.*

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE**

ORDER

1. The petitioner had filed an application bearing O.A. No.660/2024 before the Central Administrative Tribunal, Srinagar Bench (for short "the Tribunal") challenging Government Order No.313 of 2024 dated 04.09.2024 passed in compliance to order dated 16.07.2024 passed by the Tribunal in O.A No.426/2024. In terms of order dated 04.09.2024, the respondent No.2 had directed the Accounts

Officer of the Directorate of Skill Development Department to proceed ahead regarding processing the case of the petitioner for grant of provisional pension under rules.

2. The learned Tribunal vide order dated 18.06.2025, has disposed of the O.A No.660/2024 preferred by the petitioner by directing the respondents to consider the case of the petitioner for release of his pension and other allied retrieval benefits in accordance with law, as early as possible but not later than two months.

3. Aggrieved by the order dated 18.06.2025 passed by the learned Tribunal and Government Order dated 04.09.2024, the petitioner has filed the instant petition, primarily, on the ground that in O.A No.426/2024, similar direction was passed by the learned Tribunal pursuant to which order impugned dated 04.09.2024 was passed by the respondent No.2 and yet again, similar direction has been issued to the respondents whereas the learned Tribunal ought to have adjudicate the issue on merits. It is also stated in para (13) of the petition that the submission made by the learned counsel appearing for the petitioner, due to communication gap, was construed by the learned Tribunal in other manner, pursuant to which the impugned order came to be issued.

4. Pursuant to order dated 19.08.2025, the Director, Skill Development Department, J&K, Bemina, Srinagar, had

caused his appearance on 25.08.2025 and today as well, he has caused appearance.

5. During the course of hearing, the learned counsel for the parties have reached to the consensus that the impugned order dated 18.06.2025 appears to have been passed on the submission made by learned counsel for the petitioner therein and there has been no adjudication on merits, as such, the impugned order dated 18.06.2025 be set aside and the matter be remanded to the learned Tribunal for deciding the O.A. preferred by the petitioner on merits.

6. Ms. Rekha Wangnoo, learned GA, has assured that before the next date of hearing, the respondents would file their response to the O.A. preferred by the petitioner.

7. In view of the above, the impugned order dated 18.06.2025 is set aside and the matter is remanded back to the learned Tribunal with a request to decide the matter on merits as expeditiously as possible, preferably within a period of two months from the date of receipt of this order.

8. Disposed of.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

Srinagar
01.09.2025
"Bhat Altaf"

Whether the **order** is reportable: **No**