Sr. No. 10

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 3080/2024
CM No. 7627/2024

Tanvir Ahmed Sheikh, Age 55 years ….. Appellant/Petitioner(s)
S/O Shri Rehmatullah Sheikh,
R/O Mohallah Sarafan, Bhaderwah,
Tehsil Bhaderwah, District Doda

Through: Mr. M A Bhat, Advocate.

Vs

1. Union Territory of Jammu and ….. Respondent(s)
Kashmir through Commissioner Secretary
to Government Health and Medical
Education Department, Civil Secretariat
Jammu/Srinagar.
2. Director Health Services Jammu.
3. Deputy Commissioner, Doda.
4. Chief Medical Officer, Doda.
5. Block Medical Officer, Bhaderwah
6. Naseer Padroo S/O Mehboob Padroo
R/O Eidgah Mohallah Bhaderwah
Tehsil Bhaderwah District Doda.

Through: Mrs. Monika Kohli, Sr. AAG
Mr. Raman Sharma, AAG.

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

ORDER
31.12.2024

1. The writ petition in hand has been filed by the petitioner against the order dated 25.11.2024 passed in OA No. 1271/2024 titled 'Tanvir Ahmed Sheikh v. Health and Medical Education Department whereby notice has been issued to the other side for filing reply within four weeks. A perusal of impugned order would further reveal that interim relief was rejected at that stage.

2. Issue notice. Mrs. Monika Kohli, Sr. AAG and Mr. Raman Sharma, AAG accept notice on behalf of the respondents.

3. Learned counsel for the petitioner submitted that petitioner is aggrieved of the order of attachment as the same is in contravention with the policy in vogue, as much as, the order has been passed by an incompetent officer, that too, for a place where no such post exists.

4. It is further submitted that till date, objections to OA No.1271/2024, have not been filed by the respondents before the Tribunal, to which, Mrs. Monika Kohli, learned Sr. AAG and Mr. Raman Sharma, learned AAG ensure filing of objections before the learned Tribunal by the next date of hearing i.e. 28.01.2025.

5. On assurance for filing objections before the learned Tribunal in OA No.1271/2024 by the next date of hearing by Mrs. Monika Kohli, Sr. AAG and Mr. Raman Sharma, AAG, we, instead of keeping this petition pending, dispose it of and request the learned Tribunal to consider and decide the OA No. 1271/2024 as well as application for interim relief, if any, after hearing all the parties under rules admissible to the field.

6. Copy of this order be forwarded to learned Tribunal.

HIGH COURT OF JAMMU & KASHMIR AND LADAKH

(MA Chowdhary) **(Tashi Rabstan)**
Judge **Chief Justice**

Jammu
31.12.2024
Raj Kumar