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HIGH COURT OF JAMMU AND KASHMIR AT JAMMU
Present: The Hon'ble Mr. Justice Dhiraj Singh Thakur – Judge.
CMA NO. 4340/14 in SWP NO. 768/2013 CMA NO. 1831/2013
CMA NO. 1056/13

(C)

Dr. Rajesh Mahajan Age 44 years
S/o Sh. Kuldeep Raj Gupta
R/o H. No. F-35, Patel Chowk,
Fattu Chogan, Jammu.

..Petitioner

Versus

1. State of J&K
Through Commissioner/Secretary,
Health & Medical Education Department,
J&K Govt. Civil Secretariat, Jammu.
2. J&K Public Service Commission
Through its Secretary
Resham Ghar Colony, Jammu
3. Dr. Madan Lal (Lecturer)
Department of Anaesthesiology,
Govt. Medical College, Jammu.
4. Sh. K.M. Wani,
Member
J&K Public Service Commission,
(Chairman DPC)
5. Sh. M.K. Dwivedi, IAS
Commr/Secretary to Government,
Health and Medical Education Department
(Member DPC).

Uleav

Signature

4340
1831/2013

pro.
Signature

07/02/15
HAC

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600/2015

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6. Dr. Anees Chowdhary
Principal,
Govt. Medical College, Jammu.
(Member DPC)

7. Sh. Manzoor Ahmad
Under Secretary to Govt.
General Administration Department,
(Member DPC)

..Respondents

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CMA No. 4340/14 in SWP No. 768/13 CMA No. 1831/13
CMA No. 1056/13

Date of order: 27.11.2014

Dr. Rajesh Mahajan

v.

State of J&K and ors.

Appearing counsel:

For the petitioner(s) : Mr. Abhinav Sharma, Advocate

For the respondent(s) : Mr. Sudershan Sharma, Adv.

CMA No. 4340/14

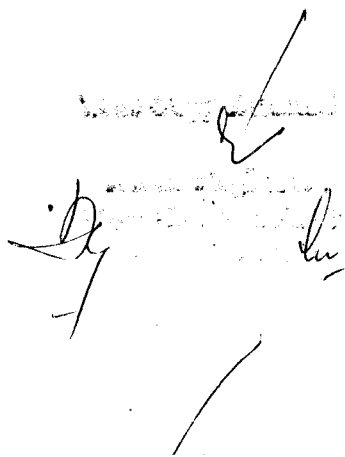
Application is allowed as prayed for.

Documents annexed with the application is taken on record.

SWP No. 768/13

The relief as sought for by the petitioner is that he should be promoted as Assistant Professor, Anesthesiology in Government Medical College, Jammu w.e.f. 01.07.2012. Counsel for the respondents has placed on record Government Order No. 20.10.2014, whereby the benefit has been given to the petitioner as Assistant Professor retrospectively w.e.f. 27.04.2011.

Counsel for the petitioner states that order dated 20.10.2014 may have its own consequences and create problems against the petitioner, inasmuch as, according to

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him, there was no post available w.e.f. 27.04.2011 and at best, the petitioner could be given benefit w.e.f 01.07.2012.

The apprehension of the petitioner that the benefit given to him w.e.f. 27.04.2014 may subsequently be withdrawn on the ground that there was no post available on the said date. It would, however, be open to the petitioner to approach this Court if such a cause arises.

In view of the fact that the relief stands granted, the petition is rendered infructuous and is accordingly disposed of.

Sd/- Hon'ble
(Dhiraj Singh Thakur)
Judge

Jammu
27.11.2014
Paramjeet

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5-2-15

Amal Kumar

Set

5-2-15

5-2-15

Set
Bhanu Prasad

Set

Capital
5/2/15
High Court
5-2-15
Set
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