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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**

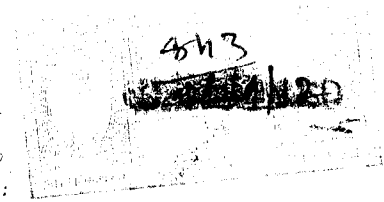
(C)

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).



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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

*[Faint, illegible text and signatures]*

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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**

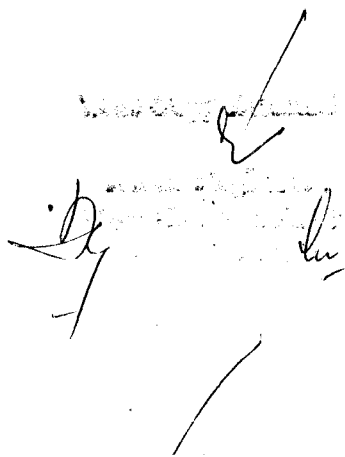
Application is allowed as prayed for.

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  
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