

ITEM NO.32

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).877/2020

ACHAL SHARMA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.78785/2020-EXEMPTION FROM FILING AFFIDAVIT
and IA No.78784/2020-PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 02-01-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Petitioner-in-person

For Respondent(s) Mrs. Aishwarya Bhati, A.S.G.
Mrs. Swarupama Chaturvedi, Sr.Adv.
Ms. Poornima Singh, Adv.
Mr. Vatsal Joshi, Adv.
Mr. Apoorv Kurup, Adv.
Mr. Akshay Nain, Adv.
Mr. Shantnu Sharma, Adv.
Mr. Shreekant Neelappa Terdal, AOR

Mr. Shailesh Madiyal, Sr. Adv.
Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan, AOR

Mr. Arvind Kumar Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. A Status Report, by way of an affidavit, has been filed on behalf of the Union of India regarding the functioning of the Benches of the Central Administrative Tribunal (for short, 'the Tribunal') at Jammu and Srinagar. In para 3 of the said affidavit, it is explained that pursuant to a meeting held on 17.12.2024 between the Judicial Member/Head of Department, CAT (Jammu Bench) and other officers of the State and Union Government, a decision

was made to take a private building on rent to shift the Tribunal. There are some shortcomings in the said building, which have been illustratively explained from (a) to (f) of para no.3. It is further averred in the said affidavit that all the incomplete works are likely to be completed by the end of January, 2025. Similarly, with regard to the requirement of additional staff, para 4 of the Status Report explains that out of 58 sanctioned posts, 26 are filled up on regular basis, whereas 10 posts are filled up from outsourced staff against transferred posts. Some posts have been circulated to bring the incumbents on deputation.

2. In this regard, we have impressed upon the learned Additional Solicitor General of India that the Bench of Central Administrative Tribunal at Jammu appears to be a permanent feature as the said Bench has been functional for decades. That being so, it is highly desirable that there should be a permanent building along with proper court rooms, chambers, rooms for officers, and other staff. Similarly, it may not be prudent to deploy outsourced staff in a judicial/quasi-judicial institution, where the maintenance of records, confidentiality, updating of records, etc. are day-to-day challenges.

3. Learned Additional Solicitor General of India seeks and is granted four weeks' time to seek instructions in this regard.

4. Post the matter for further consideration on 14.02.2025.

5. Meanwhile, a fresh Status Report in respect of shifting of the Tribunal to the rented building may also be filed.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR