

Government of Jammu and Kashmir  
**Health & Medical Education Department**  
Civil Secretariat, Jammu

**Subject:** Implementation of Hon'ble Central Administrative Tribunal, Jammu Bench direction (MA No. 1459/2020, TA No. 1395/2020 titled Bhavana Sahni Vs D/O Government Medical College, Jammu).

**Ref.** letter No. GMC/Accts/20-21/1875 dated 06.01.2021, from Principal, Government Medical College, Jammu.

**Government Order No. 139 - JK(HME) of 2021**  
**D a t e d : 23 - 02 - 2021**

**WHEREAS,** vide Government Order No. 535-HME of 2019 dated 07.06.2019, the services of Dr. Bhavana Sahni, Assistant Professor in the Department of Social & Preventive Medicine, Government Medical College, Jammu, were disengaged, being ineligible under rules to hold this post on academic arrangement basis;

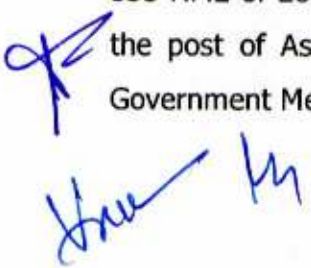
**AND WHEREAS,** Dr. Bhavana Sahni challenged the aforesaid Government Order before the Hon'ble High Court at Jammu. Later on the case was transferred to Hon'ble Central Administrative Tribunal, Jammu Bench bearing T.A No. 1395/2020, SWP No. 1592/2017 titled "Bhavana Sahni Vs D/O Government Medical College, Jammu". The Hon'ble Central Administrative Tribunal on 21.09.2020, passed the following directions in this case:-

"Counter affidavit has already been filed. Learned counsel for the applicant seeks and is granted two weeks time to file rejoined affidavit"

**AND WHEREAS,** Dr. Bhavana Sahni filed MA No. 1459/2020 in TA No. 1395/2020. The Hon'ble Central Administrative Tribunal while disposing of the MA No. 1459/2020 on 06.11.2020, passed the following directions:-

"MA No. 1459/2020 is allowed with the direction to the respondents to pay un-paid salary of the applicant, if due, from the month of June 2019 till date, subject to under rule, within a period of one week from the date of receipt of certified copy of this order. MA No. 1459/2020 is disposed of accordingly"

**AND WHEREAS,** the case has been examined in the Health & Medical Education Department in light of the above orders of the Hon'ble Central Administrative Tribunal, Jammu and it has been found that Dr. Bhavana Sahni has already been disengaged by the Health & Medical Education Department vide Government Order No. 535-HME of 2019 dated 07.06.2019 as she was found ineligible under rules for holding the post of Assistant Professor in the discipline of Social & Preventive Medicine in Government Medical College, Jammu, on academic arrangement basis. In view of this,



there does not exist any claim for payment of any un-paid salary to her for the month of June, 2019 and onwards.

**Now, therefore,** the claim of Dr. Bhavana Sahni for payment of salary for the month of June, 2019 and onwards, having been considered in light of the order of the Hon'ble Central Administrative Tribunal, Jammu dated 06.11.2020, has been found devoid of merit and is hereby rejected.

**By order of the Government of Jammu & Kashmir.**

**Sd/-**  
**(Atal Dulloo) IAS**  
Financial Commissioner  
Health & Medical Education Department

No. ME-GAZ/35/2006-part file

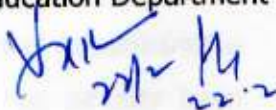
Dated: 23-02-2021

Copy to the:-

1. Principal Secretary to the Lieutenant Governor.
2. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
3. Principal, Government Medical College, Jammu. **She is requested to pursue the case vigorously before the CAT and get the aforesaid TA dismissed. She is also advised that Dr. Bhavana Sahni may not be allowed to attend the Department of Social and Preventive Medicine (Community Medicine), GMC, Jammu in case she is still attending the Department after her disengagement was ordered vide Government Order no. 535-HME of 2019 dated 07.06.2019.**
4. Director, Archives, Archaeology and Museums, J&K, Jammu.
5. OSD to Advisor (B), (Incharge Health and Medical Education).
6. Additional Secretary (Legal), Health and Medical Education Department.
7. Private Secy. to the Financial Commissioner, Health & Medical Education Department.
8. In-Charge office Website, Health and Medical Education Department.
9. Government Order File/Stock file (W.3.S.C.).

  
**(Nasir Bilal Shah)**

Under Secretary to the Government  
Health & Medical Education Department

  
21/2/21