

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 62/58/2021

This the 18th day of January, 2021



HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)

Tabasum Afshan W/o Sayeed Ahmad Farooqi R/o Gulbahar Colony
Hyderpora, Kashmir J&K Aged 50 years.

.....Applicant

(Advocate: Mr. Mian Tufail Ahmad)

Versus

1. Union Territory of Jammu and Kashmir through Commissioner cum
Secretary to Government School Education Department Civil
Secretariat Srinagar/Jammu.
2. Director, School Education Kashmir, Srinagar.

.....Respondents

(Advocate: Mr. Sudesh Magotra, Deputy Advocate General)

ORDER**[O R A L]****(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)**

The applicant herein is aggrieved by the in action of the respondents in not granting her the same benefits as has been granted to the petitioners of WP (C) No. 612 of 2020 CM No. 1319 of 2020 and OA No. 62/101/2020.

2. During the course of the proceedings, learned counsel for the applicant submitted that the OA can be disposed of by giving similar orders as have been given in the aforesaid cases as well as in TA No. 62/157/2021 disposed of vide order dated 14.01.2021 and OA No. 62/43/2021 disposed of vide order dated 14.01.2021 by Jammu Bench wherein the said matters were disposed of with direction to the respondents to consider the claim of the applicant in the light of judgement rendered by the Hon'ble High Court and in case the applicant therein is found to be similarly situated with the applicant in the aforementioned applications, the respondents shall pass appropriate orders.

3. We have heard Mr. Mian Tufail Ahmad, learned counsel for the applicant and Mr. Sudesh Magotra, Id. Deputy Advocate General for the respondents and gone through the judgements placed on record by the applicant.



4. Accordingly, the O.A. is disposed of with direction to the respondents to consider the claim of the applicant and determine her eligibility in terms of judgement rendered by the Hon'ble High Court at Srinagar vide order dated 05.03.2020 in WP (C) No. 612/2020, in case, the applicant is found to be similarly situated to the petitioners in the aforementioned case, the respondents shall take appropriate decision in this regard within a period of six weeks from the date of receipt of certified copy of this order.

5. It is made clear that we have not entered into the merits of the case.

6. There shall be no order as to costs.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)