

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**



Hearing through video conferencing

T.A./62/1240/2020

This the 03rd day of November, 2020

**HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)**

Shabir Ahmad Mir, age about 35 years, S/o Abdul Khaliq Mir, R/o Dardpora, Kupwara.

.....Applicant
(Advocate: Mr. Mir Majid Bashir)

Versus

1. Union Territory of Jammu and Kashmir, through Commissioner Secretary to Government, School Education Department, Civil Secretariat, Jammu.
2. Director, School Education, Kashmir, Srinagar.
3. Zonal Educational Officer, Srinagar.
4. Zonal Educational Officer, Kralpora, Kupwara.
5. Head-Master, Middle School, Raj-Bagh, Srinagar.
6. In Charge-Teacher, Primary School, Shah Mohalla, Dardpora Kupwara

.....Respondents
(Advocate:- Mr. Amit Gupta, Additional Advocate General)

O R D E R (O R A L)

Justice L. Narasimha Reddy, Chairman: -

The applicant was appointed as RRT Teacher, Kupwara District. On a representation made by him citing health grounds, he was transferred to an Institution at Srinagar for a period of six months. On expiry of that, the applicant claims to have made another representation with a request to retain him for a further period at Srinagar. He cited the medical certificate issued by the Department of Nuclear Medicine, Government of Jammu & Kashmir, His grievance is that the respondents have not passed any orders thereon and they are compelling him to proceed to Kupwara. He filed SWP No.187/2019, with a prayer to direct the respondents to continue him in the Institution at Srinagar and other connected reliefs. The SWP has since been transferred to this Tribunal and renumbered as TA.No.1240/2020.

2. We heard Mr.Mir Majid Bashir, learned counsel for the Applicant and Mr.Amit Gupta, learned Additional Advocate General, for the Respondents.

3. The applicant, who was appointed as a RRT Teacher in the Kupwara District, was transferred to an Institution at Srinagar, purely on health grounds. It was for a period of six months. The ailment of the applicant seems to be still continuing. He made a representation for retaining him in the Institution at Srinagar. By this time, the respondents have not passed any order. We are of the view that the

respondents need to be required to consider the representation made by the applicant as regards his continuance in Srinagar.

4. We therefore dispose of this TA directing that the respondents shall pass appropriate orders on the representation submitted by the applicant as regards his posting. For the sake of convenience, the applicant shall make a copy of such representation available to the respondents within one week from today. The respondents in turn shall pass orders thereon within a period of six weeks. Till such time, the interim order passed by the Hon'ble High Court shall remain in force.

There shall be no order as to costs.

**(MOHD. JAMSHED)
MEMBER (A)**

**(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN**

Dsn.