

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A.62/5360/2020 (SWP.No.605/2016

This the 27th day of November, 2020

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

Basharat Hussain Azad, age 48 years, S/o Ghulam Rasool
Wani, R/o Chrarisharief, Budgam

.....Applicant

(Advocate: Mr. Mian Tufail for Mr. M A Qayoom)

Versus

1. State of J&K through Commissioner/Secretary to Government, School Education Department, Civil Secretariat, Srinagar/Jammu.
2. Director School Education, Kashmir, Srinagar.
3. Chief Education Officer, Budgam.
4. Principal, Govt. Boys Higher Secondary School, Chrarisharief, Budgam.
5. Mohammad Naseem, Master, Middle School, Fresdub, Chrarisharief.

.....Respondents

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



O R D E R
[O R A L]

Justice L. Narasimha Reddy, Chairman:

The applicant is working as Master in the Department of Education. Through order dated 22.03.2016, the Chief Education Officer, Budgam, transferred as many as 93 Masters from one place to another place, and the applicant is one of them. The applicant filed SWP No. 605/2016 before the Hon'ble High Court of Jammu and Kashmir. An interim order was passed on 25.03.2016 in so far as the impugned order concerns the applicant.

2. The Writ Petition has since been transferred to this Tribunal in view of reorganization of the State of Jammu and Kashmir and renumbered as T.A. No. 62/5360/2020.

3. Today, we heard Mr. Mian Tufail for Mr. M A Qayoom, learned counsel for the applicant, and Mr. Sudesh Magotra, learned Deputy Advocate General, for the Respondents.

4. The applicant was one of the 93 Masters, who were transferred from one place to another in the year 2016. On the basis of the interim order passed by the Hon'ble High Court, he continued in the same station for the past 4 years. The same state of affairs cannot be continued forever.

5. We, therefore, dismiss the T.A. leaving it open to the respondents to pass fresh orders of transfer of the applicant in accordance with the existing policy. There shall be no order as to costs.

**(A.K. BISHNOI)
MEMBER (A)**

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

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