

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH**

**Original Application.No. 61/453/2020
This the 18th day of August, 2020**

**THE HON'BLE MR. JUSTICE L.NARASIMHA REDDY, CHAIRMAN
THE HON'BLE DR.BHAGWAN SAHAI, ADMINISTRATIVE MEMBER**



Shadi Lal, Age 48 years,
S/o Thakar Dass,
R/o Sangaldan, Tehsil Gool,
District Ramban – 182144

... Applicant

(By Advocate : Mr.M.R.Qureshi)

Vs.

1. UT of J&K through
Commissioner / Secretary to Government
School Education Department
Civil Secretariat, Jammu – 180001
2. The Director
School Education Department
UT of Jammu and Kashmir, Jammu – 180001
3. Chief Education Officer
Office of the CEO, Ramban
UT of Jammu and Kashmir
District Ramban – 182144
4. Zonal Education Officer
UT of Jammu and Kashmir
Zone Gool
District Ramban – 182144

... Respondents

(By Advocate : Mr.Amit Gupta)

ORAL ORDER

{As per Hon'ble Mr. Justice L Narasimha Reddy, Chairman}



The applicant was appointed as Teacher and posted at Reasi District. On a request made by him mentioning health grounds, he was transferred to Ramban through an order dated 11.04.2018.

2. As a general policy, the respondents have decided to restore the deployment of the teachers to their original places of posting. The applicant contends that once the Government had extended his transfer to Ramban until further orders, there was no basis for the respondents to transfer him to Reasi District.

3. Heard Mr.M.R.Qureshi, learned counsel for the applicant and Mr.Amit Gupta, learned counsel for the respondents.

4. It is no doubt true that the applicant who was appointed as a Teacher in P.S.Chamba, Zone Mahore, Reasi District was transferred on medical grounds to Ramban in the year 2018. The fact however remains that the respondents have taken a general policy decision to restore the teachers to their original places of posting. This appears to be on account of the fact that quite large number of teachers were transferred outside their units of posting. This is not a case where any individual has picked for redeployment.

5. The applicant contends that he made a representation to the concerned authority for continuing him at Ramban for some more time citing his illness. It is for the concerned authority to take a decision. We cannot single out the applicant, in the context of the implementation of the policy decision. At the same time the representation of the applicant needs to be considered.



6. We, therefore, dispose of the OA directing that the respondents shall pass orders on the representation submitted by the applicant within a period of four weeks from today. In case the applicant has not been relieved as yet, he shall be continued at that place for a period of four weeks. Further steps would depend upon the nature of the decision, which the respondents may take on the representation. We make it clear that if the applicant had already been relieved, the direction as to continuing him in the same place would not be effective.

7. There shall be no order as to costs.

(DR. BHAGWAN SAHAI)
MEMBER (ADMN)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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