



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

OA No. 061/856/2020

(Dy No. 4112/2020)

Tuesday, this the 30th day of September, 2020

Hon'ble Mr. Rakesh Sagar Jain, Member (J)

Hon'ble Mr. Anand Mathur, Member (A)

Sunny Raina, Age 27 years, son of Kuldeep Kumar Raina,
R/o Village Bhata Palmar, Tehsil & District Kishtwar.

.....Applicant

(Advocate: Sri Sudershan Sharma)

Versus

1. Union Territory of J&K, through Commissioner/Secretary,
Technical Education Department, Civil Secretariat,
Jammu/Srinagar.
2. Director, Technical School Education, UT of J&K, Jammu.
3. The Deputy Director, Technical Education, Jammu.
4. Principal, Industrial Training Institute, Kishtwar.

.....Respondents

(Advocate: Mr. Amit Gupta, AAG)

ORDER

By: Hon'ble Mr. Anand Mathur, Member (A):

The applicant, Sunny Raina seeks the following reliefs:

(a) Prayer for directing the respondents to allow the applicant to continue as Guest Faculty at ITI Kishtwar till the regular selection is made in view of his qualification and experience.

(b) Prayer for directing the respondents not to disengage the applicant from his present place of posting i.e as Guest Faculty at ITI Kishtwar till the final outcome of present O.A.

2. During the course of arguments, it was submitted by learned counsel for the applicant that he would be satisfied if the O.A is disposed of by directing the respondents to allow the applicant to continue as Guest Faculty at ITI Kishtwar till regular selection is made and services of the applicant should not be substituted by way of any other ad-hoc/ temporary/ contractual appointee. In fact, applicant has no grievance in case the respondents proceed with the regular selection process in which the applicant would be able to participate.

3. Heard and considered the arguments of learned counsel for the applicant and learned A.A.G, Sri Amit Gupta and gone through the material on record.

4. In view of the arguments of counsel for the parties, O.A is disposed of with the following directions:

(i). The respondents shall stand prohibited from substituting the services of the applicants by way of making contractual or temporary arrangements.

(ii). Respondents shall be at liberty to initiate the regular selection process in which the applicant would be permitted to participate provided he fulfills the eligibility condition, if any.

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

6. In view of the above direction, the OA is disposed of. No costs.

(Mr. Anand Mathur)
Member (A)

(Rakesh Sagar Jain)
Member(J)

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