



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

T.A. No.61/04378/2020

Jammu this the 11th day of November, 2020

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

Naseem Akhtar, age 42 years, D/o Mohd. Alam, W/o Ghulam Hussain, R/o Village Kote, Tehsil Thanamandi District Rajouri, presently serving as RET Govt. Middle School, Kote Kandian (Zone Thannamandi) District Rajouri.

.....Applicant

By Advocate: Mr. Sheikh Najeeb

Versus

1. The State of Jammu & Kashmir through its Commissioner/Secretary School Education Department, Civil Secretariat, Srinagar/Jammu.
2. The Director, School Education, Jammu.
3. The Personnel Officer, Directorate to School Education, Jammu.
4. The Chief Education Officer, Rajouri.
5. The Zonal Education Officer, Thannamandi District Rajouri.
6. Waheed-ul-Rehman, S/o Muzaffar Khan, R/o Village Kote, P.O. Behrote, Tehsil Thanamandi District Rajouri.

..... Respondents

By Advocate : Mr. Sudesh Magotra, DAG

ORDER (ORAL)

1. The present TA has been received by way of transfer from Hon'ble High Court of J&K at Jammu. It has been submitted at the Bar that since the case pertains to R.E.T. Teacher, the R.E.T teacher is not a civil post and the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to R.E.T. teachers.
2. It has been clearly held by the Hon'ble Apex Court in case of Ameerbi (supra) that this Tribunal has no jurisdiction to hear the case pertaining to R.E.T. Teacher. I accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any petition related to any service dispute of the R.E.T. teacher.
3. In similar circumstances, the Bench of Armed Forces Tribunal, Jammu comprising of Hon'ble Mr. Justice Mohammad Tahir, Member (J) and Hon'ble Vice Admiral A. G. Thapliyal in TA No. 267 of 2017 (SWP No. 1188 of 2014) titled Bahadur Singh v/s Union of India vide order dated 25.03.2019 held that since the Tribunal does not have the jurisdiction to deal with the matter, the case be sent back to the Registrar (Judicial), High Court of Jammu & Kashmir to be listed before the appropriate Bench.
4. Therefore, since this Tribunal has no jurisdiction to deal with the present case, this case be sent back to Registrar (Judicial), High

Court of Jammu & Kashmir at Jammu to place before the Hon'ble Bench for further orders.

5. Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Jammu on 17.12.2020

**(Rakesh Sagar Jain)
Member (J)**

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