

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A./61/1305/2021

This the **31st** day of **August**, 2021

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)



Zahir Ahmed, age 36 years, S/o Mohd. Shafi Mir, R/o Kotranka, Tehsil Kotranka, District Rajouri, pin code - 185233.

.....Applicant

By Advocate: Mr. Nishant Shukla, proxy to Mr. R.D. Singh Bandral

Versus

1. Union Territory of Jammu and Kashmir, through Commissioner/ Secretary to Government School Education Department, Government of Jammu and Kashmir, Civil Secretariat, Jammu-180001.
2. Director, School Education Department, Jammu Muthi, Jammu – 181205.
3. Chief Education Officer, Rajouri – 185131.
4. Zonal Educational Officer, Kontranka - 185233 .

.....Respondents

By Advocate:- Mr. Rajesh Thapa, DAG

ORDER [O R A L]
Delivered by Hon'ble Mr. Anand Mathur, Member (A):

At the outset, learned counsel for the applicant submits that for redressal of his grievance, the applicant has already preferred a representation dated 03.07.2021 (Annexure A-4 of OA) before the Chief Education Officer, Rajouri (respondent no. 3) and he would be satisfied,

if a direction is given to the respondent no. 3 to decide the said representation in a time bound manner. As an interim measure, learned counsel for the applicant has prayed that the applicant may not be transferred till the decision on his representation is taken by the respondent no. 3.

2. On the other hand, learned counsel appearing on behalf of the respondents has objected the claim of the applicant and seeks time to file counter affidavit.

3. Heard Mr. Nishant Shukla, holding brief of Mr. R.D. Singh Bandral, learned counsel for the applicant, Mr. Rajesh Thapa, DAG, learned counsel appearing on behalf of the respondents on advance notice and perused the record.

4. Having heard learned counsel for the parties, no purpose would be served in keeping this OA pending and it can be disposed off at this stage.

5. Accordingly, the O.A. is disposed off with a direction to the Chief Education Officer, Rajouri (respondent no. 3) to consider and decide the representation of the applicant dated 03.07.2021 (Annexure A-4) within a period of two weeks from the date of receipt of certified copy of this order. The order so passed shall be communicated to the applicant forthwith.

6. In the meanwhile, it is provided that the applicant shall not be transferred till the decision on his representation dated 03.07.2021 is taken by the respondent no. 3.

7. No order as to costs.

8. It is made clear that we have not expressed any opinion on merits of the case while disposing of the present OA.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Anand...