

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 61/922/2020

This the 01st day of April, 2021

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

Riaz Ahmad aged 39 years, S/o of Shri Abdul Hamid Resident of Village Sajain,
Tehsil Mandi District Poonch.

.....Applicant

(Advocate:-Mr. K.K. Pathan)

Versus

1. State of Jammu & Kashmir through Commissioner/Secretary to Government
Education Department, Civil Secretariat, Jamm/Srinagar and 5 ors.

.....Respondents

(Advocate: Mr. Rajesh Thappa, D.A.G)

ORDER

IO R A L

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

The present TA has been received by way of transfer from Hon'ble High Court of J&K at Jammu. It has been submitted by Mr. Rajesh Thappa, Deputy Advocate General that the case pertains to Rehbar-e-Taleem (R.E.T.) Teacher and 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. Contention of learned D.A.G. has force and it is to be accepted. Post of ReT Teacher is not a civil post, hence, this Tribunal cannot assume jurisdiction in respect of any service matter pertaining to R.E.T. teachers

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 be placed 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 30.04.2021.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)