

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 61/1102/2020

This the 26th day of February, 2021

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

Aijaz Ahmed, Age 24 years, S/o Roshan Din, R/o Mohalla Doga Village Dewal,
Tehsil Mahore, District Reasi.

.....Applicant

(Advocate:- Mr. M A Bhat)

Versus

1. State of J&K through Commissioner/Secretary, School Education Department,
J&K Govt., Civil Secretariat, Srinagar and 3 ors.

.....Respondents

(Advocate: Mr. Amit Gupta, Additional Advocate General)

ORDER

ORAL

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

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. Amit Gupta, Additional 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 A.A.G. has force and it is to be accepted. Post of ReT Teacher is not a civil post and it has not been brought within the jurisdiction of this Tribunal by notification to be issued by the Central Government under Section 14 (2) of the Administrative Tribunal Act, 1985.

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 15.03.2021.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)