



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.520/2021
(SWP No.704/2015)

Thursday, this the 25th day of March, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd, Jamshed, Member (A)**

Alam Khan, age 27 years,
S/o Sh. Ghulam Mohammad,
R/o Village Kote (Kathrian),
Tehsil and District Jammu

..Applicant
(Ms. Meenakshi Slathia, Advocate)

Versus

1. State of J&K through
Secretary to J&K Govt.
School Education Department,
Civil Sectt. Jammu/Srinagar.
2. Director School Education, Jammu.
3. Chief Education Officer, Jammu.

..Respondents
(Mr. Sudesh Magotra, Deputy Advocate General)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

The District Level Committee for recruitment of Class-IV posts in School Education Department district Jammu issued advertisement Notification No. 2/2014 on 19.08.2014 inviting



applications to fill 90 vacancies. The applicant and several others responded. The applicant was issued offer of appointment on 13.10.2014 and thereafter he is said to have joined the service.

2. On receiving several complaints, alleging irregularities in the appointments, the Secretary to the Government, School Education department passed an order dated 30.10.2014 cancelling the selection and appointment and an officer was appointed to enquire into the matter. Apprehending that the applicant may be covered by the same, he filed SWP No. 704/2015 before the Hon'ble High Court of Jammu & Kashmir. He pleaded that his selection and appointment was strictly in accordance with the procedure prescribed and there was absolutely no basis to proceed against him. An interim order was passed by the Hon'ble High Court, staying the operation of the impugned order, insofar as it relates to the applicant.

2. The SWP has since been transferred to the Tribunal in view of the reorganisation of the State of Jammu & Kashmir and renumbered as TA No. 520/2021.

3. Today, we heard M. Meenakshi Slathia, learned counsel for the applicant and Mr. Sudesh Magotra, learned Deputy Advocate General.

4. The record discloses that the applicant was selected and issued order of appointment on the basis of selection. It may be true that the Government received large number of complaints

alleging irregularities in the selection or appointment. However, in all fairness Mr. Sudesh Magotra, Deputy Advocate General submits that the complaints were received against the appointment of 35 candidates and the list does not include the name of the applicant.



5. In that view of the matter, we dispose of the TA directing that the impugned order dated 30.10.2014 shall not cover the selection and appointment of the applicant and the respondents shall continue him in the post, duly paying the salary from time to time. However, it shall be open to the respondents to enquire into the matter pertaining to the applicant as well as others in accordance with law, and the applicant shall remain in service till then, without any hindrance. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

March 25, 2021
/vv/sunil/ ankit/vb/