

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 61/1951/2020

This the 06th day of September, 2021

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



Atiya Tabassum age 29 years, D/o Ghulam Hussain Butt & Late Shahida
Parveen, R/o Mohalla Fariya Near Masjid Noor Tehsil and District Doda.
.....Applicant

(Advocate:- Mr. Ahtsham Hussain Bhat)

Versus

1. State of Jammu and Kashmir through Commissioner cum Secretary School Education Department, Civil Secretariat, Jammu/Srinagar.
2. Director, School Education Department, Jammu.
3. Chief Education Officer, Doda.

.....Respondents

(Advocate: Mr. Amit Gupta, learned A.A.G.)

ORDER

ORAL

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

Learned counsel for the applicant submits that the mother of the applicant who was serving as Senior Teacher in School Education Department died in harness on 21.04.2010. The applicant being a Post Graduate applied for appointment on compassionate grounds. The applicant was appointed as Laboratory Bearer vide order dated 08.11.2010, however, the applicant being unhappy with her appointment as Laboratory Bearer submitted a representation to the respondents to appoint her as Teacher. When nothing fruitful was done by the respondents, the applicant served a legal notice to the respondents on 10.06.2015. Despite service of the notice, no action has been taken by the respondents to appoint her as Teacher on compassionate

grounds. Hence, this O.A. seeking a direction to the respondents to appoint the applicant under SRO 43 dated 22.02.1994 as per her qualification.



2. We have heard Mr. A H Bhat, learned counsel for the applicant and Mr. Amit Gupta, learned A.A.G. for the respondents and perused the records.

3. Looking to the facts and circumstances of the case, we direct the respondents to consider the case of the applicant as per rules and regulations and pass a reasoned and speaking order within a period of four weeks from the date of receipt of a certified copy of this order.

4. It is made clear that we have not entered into the merits of the case.

5. No order as to costs.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun