



**Central Administrative Tribunal
Jammu Bench, Jammu**

T.A. No. 3534/2020
(SWP) No.607/2019)

Wednesday, this the 14th day of July, 2021

(Through Video Conferencing)

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

1. Rahul Jandial, Age 34 years
S/o Sh. Karam Chand
R/o Kahna,
Tehsil Pouni district Reasi
2. Rajani Bala, Age 30 years
D/o Sh. Kishan Lal
R/o Bharakh,
Tehsil Pouni District Reasi.

...Applicants

(Mr. Arshid Pervaiz Malik, Advocate)

Versus

1. State of Jammu and Kashmir,
Through its Commissioner/Secretary,
Youth Services and Sports Department,
Civil Secretariat,
Jammu/Srinagar.
2. The Jammu and Kashmir Service Selection Board
Through its Chairman
Jammu/Srinagar
3. The Jammu and Kashmir Service Selection Board
Secretary,
Jammu/Srinagar

...Respondents

(Mr. Rajesh Thappa, Deputy Advocate General for Mr. Amit
Gupta, Additional Advocate General)



ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

The respondents issued a notification on 21.06.2013 for inviting applications for the post of Physical Education Teacher. Reservation was provided in favour of SC/ST candidates also. The applicants responded to the notification and claimed the status of SC candidates. The selection process culminated in publication of results. However, the names of the applicants did not figure either in UR category or SC category. The applicants contend that one candidate, who was selected in the SC category, did not join and despite that, their cases were not considered for selection and appointment. With these pleadings, the applicants filed SWP No.607/2019 before the Hon'ble High Court of Jammu & Kashmir, with a prayer to direct the respondents to consider their cases.

2. The respondents filed a counter affidavit. It is stated that though the applicants have also taken part in the selection process and claimed the status of SC candidates, they were not up to the selection and they did not qualify to be included in the waiting list.



3. The SWP has since been transferred to the Tribunal in view of reorganization of the State of Jammu and Kashmir and renumbered as T.A. No.3534/2020.

4. Today, we heard Mr. Arshid Pervaiz Malik, learned counsel for applicant and Mr. Rajesh Thappa, learned Deputy Advocate General for Mr. Amit Gupta, Additional Advocate General.

5. The applicants were not successful in the initial selection. It may be true that the one candidate in the SC category did not join. The cases of the applicants could have been considered, if only they were next in the merit. The respondents categorically stated that the applicants did not even qualify. Hence, no relief can be granted to them.

6. We do not find any merit in the T.A. It is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed) (Justice L. Narasimha Reddy)
Member (A) Chairman

July 14, 2021
/sunil/rk/