

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/574/2021

This the 06th day of April, 2021

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. TARUN SHRIDHAR, MEMBER (A)

Arti Sharma, Age 38 years, W/o Sh. Rajesh Kumar Sharma, R/o H. No. 83, Bera Bhata, Kishtwar, 182204. Presently posted as Lecturer in Sanskrit, District Institute of Education and Training, Kishtwar.

.....Applicant

(Advocate:- Mr. Ankur Sharma)

Versus

1. Union Territory of Jammu and Kashmir through Administrative Secretary to Government, School Education Department, Civil Secretariat, Jammu-180001.
2. The Director, School Education, Muthi Camp, Jammu-181205.

.....Respondents

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

ORDER

ORAL

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

The applicant Arti Sharma was appointed as Lecturer +2 Sanskrit in the year 2009. The grievance of the applicant is that in the year 2018, a seniority list of +2 Lecturers posted in different government schools of Jammu Province was issued by the Respondents. However, the name of the applicant was dropped from the said list and name of other similarly situated employees were enlisted. In this regard, the applicant approached the Principal Government Higher Secondary School Girls, Kisthwar, and submitted her objections, the same was forwarded for correction in the list. Despite being eligible to be promoted as Senior Lecturer and get consequential promotion benefits, the applicant was excised out by the respondents. On 27.11.2020, another tentative seniority list of +2 Lecturers of School Education Department was issued by the Respondent No. 1. To the utmost shock and dismay of the applicant, the name of the applicant was again dropped from the said list. The applicant had also preferred a representation before the



Respondents, however, without considering the representation, respondents came out with impugned promotion list. Hence, the present O.A.



2. Learned counsel for the applicant submits that the applicant would be satisfied if a direction is issued to the respondents to take a decision on the pending representation dated 01.02.2021 (Annexure A-8 to the O.A.) preferred by the applicant within a limited time frame and further include the name of the applicant at the appropriate place in the seniority list and promote the applicant to the post of Senior Lecturer 10+2.

3. We have heard Mr. Ankur Sharma, learned counsel for the applicant and Mr. Rajesh Thappa, learned D.A.G. for the respondents and perused the records.

4. Looking to the facts and circumstances of the case as well as the limited prayer made by the applicant, we dispose of the O.A. with direction to the respondents to take a decision on representation dated 01.02.201 (Annexure No. A-8 to the O.A.) preferred by the applicant by passing a reasoned and speaking order and communicate the decision so taken to the applicant within a period of two months from the date of receipt of certified copy of this order. The respondents would also consider including the name of the applicant at the appropriate place in the seniority list and consider her for promotion to the post of Senior Lecturer 10+2.

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

6. There shall be no order as to cost.

(TARUN SHRIDHAR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)