



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.5625/2021
(S.W.P. No. 3095/2010)

Tuesday, this the 25th day of May, 2021

(Through Video Conferencing)

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

Surjeet Kumar s/o ShriChuniLal
r/o Village KoteDhara,
Tehsil & District Rajouri, aged 42 years

... Applicant
(Mr. Dinesh Singh Chauhan, Advocate)

Versus

1. State of Jammu & Kashmir through its Chief Secretary, J & K Government, Civil Secretariat, Jammu
2. Commissioner/Secretary to Government, School Education Department, J & K Government, Civil Secretariat, Jammu
3. Director School Education, Jammu
4. Chief Education Officer, Rajouri

... Respondents
(Mr. Rajesh Thappa, Deputy Advocate General)

O R D E R (ORAL)

Mr. Justice L. Narasimha Reddy:

Way back in the year 1998, the Government intended to fill 417 posts of Class IV employees. An Advertisement was issued and that was followed by selection and appointment of



417 persons. The authority, who issued the order, is said to be not vested with the power, and attempts were made to nullify the appointment. Spate of litigation ensued and the Hon'ble High Court of Jammu & Kashmir passed series of orders. The matter culminated in LPA (SW) No.49/2008. Vide order dated 20.07.2009, the Hon'ble High Court directed that the appointment made earlier against 417 vacancies, shall hold good and in addition to that, 417 persons must be appointed. Thereafter, various SWPs were filed before the Hon'ble High Court, wherein it was directed that the candidates shall be accommodated without taking recourse to further process.

2. The applicant claims to be one of the candidates, who participated in the selection. His grievance is that the order passed by the Hon'ble High Court in LPA (SW) was not implemented in his case. Accordingly, he filed SWP No.3095/2010 before the Hon'ble High Court.

3. The SWP has since been transferred to the Tribunal in view of reorganization of the State of Jammu & Kashmir and renumbered as T.A. No.5625/2021.

4. Today, we heard Mr. Dinesh Singh Chauhan, learned counsel for applicant and Mr. Rajesh Thappa, learned Deputy Advocate General.



5. It is rather astonishing that the issue pertaining to the appointment to Class IV, that started in the year 1998 is being agitated even after almost quarter of century. Whatever may be the circumstances under which various orders came to be passed by the Government or the High Court, the question of granting relief to the applicant at this stage, does not arise, particularly when he was not a party to any of the earlier proceedings.

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

(TarunShridhar) (Justice L. Narasimha Reddy)
Member (A) Chairman

May 25, 2021
/sunil/rk/ankit/sd/