

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 62/732/2021

This the 03rd day of May, 2021

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

Rukaya Jan, Aged: 39 years, D/o Late Ghulam Rasool Bhat, R/o Baghat,
Barzulla, Srinagar-190015.

.....Applicant

(Advocate:- Mr. Parvaiz Nazir)

Versus

1. Union Territory of J&K through Commissioner/Secretary to Govt. Education Department, Civil Secretariat, Jammu/Srinagar-180001.
2. Director, School Education, Kashmir, Srinagar-190001.
3. Chief Education Officer, Srinagar-190001.
4. Zonal Education Officer, Srinagar-190001.
5. Principal Govt. Higher Secondary School, Amira Kadal, Srinagar-190001.

.....Respondents

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

ORDER
ORAL

(Delivered by Hon'ble Mr. Anand Mathur, Member-A)

The applicant Rukaya Jan was engaged as Lab Assistant in the year 2013. The applicant was due for promotion from the Lab Assistant to Teacher, however, the same was not given to her on time as the DPC was not conducted by the respondents and the respondents by virtue of an order bearing no. 1205 DSEK of 2018 dated 12.09.2018, conducted the DPC and the applicant came to be promoted from Lab Assistant to Teacher, but the applicant has not been given any benefits of the said promotion. Hence the present O.A.





2. Learned counsel for the applicant submits that Respondent No. 3 vide communication dated 20.12.2019 sought re-validation and the same was replied by the Respondent No. 2 vide communication dated 04.01.2020, despite that, the respondents are not extending/providing the benefits in pursuance to the promotion order dated 12.09.2018 to the applicant.

3. We have heard Mr. Parvaiz Nazir, 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, we dispose of O.A. with direction to the competent authority amongst the respondents to take a decision with regard to the letter dated 22.01.2021 (Annexure No. IV to the O.A.) wherein Respondent No. 3 has requested Respondent No. 2 to pass necessary instructions/orders so that promotion order already issued in favour of the applicant can be implemented. In case, the same is implemented consequential benefits that flow out of it be granted to the applicant as per rules. Let this exercise be completed within a period of one month from the date of receipt of certified copy of this order.

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

6. There shall be no orders as to cost.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)