

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 62/748/2021



This the 04th day of May, 2021

HON'BLE MR. ASHISH KALIA, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)

Tanveer Ahmad Pir, S/o Gh. Rasool Pir, R/o Drugmulla Marble Colony, District Kupwara, Kashmir, J&K.

.....Applicant

(Advocate:- Mr. Q R Shamas)

Versus

1. Union Territory of J&K through Commissioner Secretary to Government Education Department, Civil Secretariat, Srinagar/Jammu-180001.
2. Director, School Education Kashmir, Srinagar, J&K-190001.
3. Chief Education Officer, Kupwara Kashmir, J&K-193222.
4. Zonal Education Officer, Drugmulla, Kupwara, Kashmir, J&K-193222.

.....Respondents

(Advocate: Mr. Sudesh Magotra, learned D.A.G.)

**O R D E R
[O R A L]**

(Delivered by Hon'ble Mr. Ashish Kalia, Member-J)

The applicant was initially appointed as ReT Teacher in the year 2011 and he was getting honorarium. His service has been regularized in the year 2014 as regular teacher. In the year 2018, the respondents invited applications for promotion to the second grade post teacher on the basis of higher qualification. The applicant applied under the said notification and his case was considered. During consideration, one FIR which was lodged in the year 2014 for some property dispute between his family members came to the light of the respondents. Taking the adverse report into consideration, his selection was kept in abeyance and aggrieved by this, he has approached this Tribunal for redressal of his grievance. He has also alleged that his salary has also not been paid.

2. Notice issued. Mr. Sudesh Magotra, learned D.A.G. has put appearance on behalf of the respondents. He has gone through the pleadings and addressed his arguments.



3. The respondents have already considered the appointment of the applicant and have kept it in abeyance. We are of the view that the respondents should take a call in this matter and decide as to whether the applicant is entitled for promotion, if the answer is yes, from what date and if not, they must disclose the reasons. The decision so taken by the respondents may be communicated to the applicant in writing within a period of six weeks. It is needless to say that if the applicant has worked under the respondents, he is entitled for salary, hence, salary, if any, due be released to the applicant immediately. If the applicant is still aggrieved, he may approach this Tribunal by filing a fresh O.A.

4. With this observation the O.A. is disposed of.

5. We have not entered into the merits of the case.

(ANAND MATHUR)
MEMBER (A)

Arun

(ASHISH KALIA)
MEMBER (J)