

(Reserved)

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. 62/782/2021



Pronounced on: This the 31st day of May 2021

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

Farooq Ahmad Dar, S/o Ali Mohammad Dar, R/o Rakshi Asham,
Sonawari, District Bandipora, Age: 32 years.

.....Applicant

(Advocate: Mr. Arif Sikander Mir)

Versus

1. Union Territory of Jammu and Kashmir, through Commissioner/Secretary, School Education Department, Civil Secretariat, Jammu/Srinagar-190001.
2. Director, School Education Department, Kashmir, Srinagar, S.P. College, Srinagar-190001.
3. Chief Education Officer, Bandipora, Srinagar, Kashmir-193502.
4. Zonal Education Officer, Sumbal, Sonawari, District Bandipora, Kashmir-193502.

.....Respondents

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

(ORDER)

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



The brief facts of the present O.A. filed by Farooq Ahmad Dar are that the applicant was regularized as 2nd ReT vide order dated 30.07.2019. However, vide order no. DSEK/SSA/Reg/Bpr/204/2020 dated 06.07.2020 issued by the Joint Director SSA, Directorate of School Education, Kashmir, the regularization order dated 30.07.2019 qua the applicant has been kept in abeyance till further orders.

2. The applicant has challenged the impugned on the ground that it is a non speaking order. The applicant also seeks release of his salary since the year 2019.

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

4. The perusal of the impugned order shows that it gives no reason as to why the regularization of the applicant has been kept in abeyance and as such it is a non speaking order. On this ground alone, the impugned order is liable to be set aside.

5. Accordingly, the impugned order no. DSEK/SSA/Reg/Bpr/204/2020 dated 06.07.2020 is set aside. However, the respondents are at liberty to issue fresh order which should be speaking and reasoned. The respondents shall also disburse the salary of the applicant, if due and under rules, provided that there is no impediment in the disbursement.

6. With the above directions, the O.A. is disposed of at the admission stage itself.

7. No order as to cost.

(ANAND MATHUR)
MEMBER(A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun/