

**Central Administrative Tribunal  
Jammu Bench, Jammu**

T.A. No.5453/2020  
(SWP No.774/2011)

Friday, this the 28<sup>th</sup> day of May, 2021

(Through Video Conferencing)

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

Showkat Ali Baig @ Awan,  
S/o Mohd. Rafiq Baig,  
R/o Balkote, Uri,  
Age 40 years.

... Applicant

(Mr. M. M. Khan, Advocate)

Versus

1. State of J&K through Commissioner/Secretary to Govt. Education Department, Civil Sectt., Srinagar/Jammu.
2. Director School Education, Kashmir, Srinagar.
3. Services Selection Board through Chairman, Sehkari Bhawan, Near Bahu Plaza, Jammu.

... Respondents

(Mr. Rajesh Thappa, Deputy Advocate General)





## ORDER (ORAL)

**Mr. Justice L. Narasimha Reddy:**

The respondents initiated steps for selection/appointment to the post of General Line Teacher in the year 2011 in Baramulla District. Reservation was also provided in favour of physically handicapped (PH) candidates. The short list of candidates, to be interviewed was published 16.03.2011, the name of the applicant did not figure therein. Therefore, he filed SWP No.774/2011 before the Hon'ble High Court of Jammu & Kashmir, with a prayer to direct the respondents to consider his case. An interim order dated 18.04.2011 was passed by the Hon'ble High Court, directing the respondents to interview the applicant, subject to certain conditions.

2. The respondents filed a detailed counter affidavit, opposing the SWP. It is stated that last of the candidates, included in the shortlist was the one who secured 30.03 marks, whereas the marks secured by the applicant are less than that.

3. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu & Kashmir and renumbered as T.A. No. 5453/2020.



4. Today, we heard Mr. M M Khan, learned counsel for applicant and Mr. Rajesh Thappa, learned Deputy Advocate General.
5. The grievance of the applicant was that he was not shortlisted under the PH category for the post of General Line Teacher. The respondents contend that the non-inclusion of the applicant in the shortlist was on account of the relatively lesser marks, secured by him. The record is silent as to the relative merit of various candidates. Even the applicant did not mention that any candidate, with less number of marks than him, has been selected or appointed.
6. Be that as it may, in case the applicant was interviewed in compliance with the interim order passed by the Hon'ble High Court and marks secured by him in the aggregate are more than the last candidate in the short list, the respondents shall consider the feasibility of selecting the applicant. If for any reason the applicant was not interviewed, nothing further needs to be done.
7. The T.A. stands disposed of. There shall be no order as to costs.

( Tarun Shridhar )  
Member (A)

( Justice L. Narasimha Reddy )  
Chairman

May 28, 2021  
/sunil/rk/ankit/sd/