



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No. 5999/2020
(SWP No. 263/2010)

Monday, this the 22nd day of February, 2021

(Through Video Conferencing)

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

1. Nazir Ahmad Mir aged 32 years, S/o Gh. Rasool Mir, R/o Patipora Khandikhass, Teshil Handwara District Kupwara.
2. Summie Jan aged 30 years, S/o Gh. Mohd Magray, R/o Patipora Khandikhass, Tehsil Handwara District Kupwara.

...Applicants

(*Nemo* for applicants)

Versus

1. State of Jammu and Kashmir through Commissioner Cum Secretary to Government Education Department, Civil Sectt. Srinagar/Jammu.
2. Director Education Officer Kupwara.
3. Chief Education Officer, Kupwara.
4. Zonal Education Officer, Handwara.
5. Gh. Mohi-ud-Din Najar, S/o Ab. Gani Nagar R/o Khandikhass Tehsil Handwara District Kupwara.

... Respondents

(Mr. Rajesh Thapa, Deputy Advocate General)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:



The Zonal Education Officer, Handwara issued an advertisement on 26.12.2009 inviting applications for appointment of *Rehbar-e-Taleem* (ReT) Teachers in respect of certain institutions in that district. The applicants responded to the advertisement in respect of a post in Primary School, Patipora. They filed SWP No. 263/2010 before the Hon'ble High Court of Jammu and Kashmir, challenging the selection of 5th respondent, by name, Gh.Mohi-u-din Najar. According to the applicants, the 5th respondent does not satisfy the norms for selection to the post of ReT Teacher.

2. On behalf of the official respondent Nos. 1 to 4, a detailed counter affidavit is filed. It is stated that the SWP is premature since no appointment has been made as such. Various contentions urged by the applicants are denied.
3. The 5th respondent has also filed a counter affidavit on the same lines.
4. The SWP has since been transferred to the Tribunal in view of re-organization of the State of Jammu and Kashmir and re-numbered as TA No. 5999/2020.

5. Today, there is no representation on behalf of the applicants. We heard Mr. Rajesh Thapa, learned Deputy Advocate General and perused the records.



6. The SWP was filed even before any appointment was made to the post of ReT Teachers. The applicants can be said to have suffered any grievance, if only the appointment has taken place; and any candidate, who was less meritorious, compared to them, was selected. The challenge cannot be made to mere selection. Secondly, the very system of appointment to the post of ReT Teacher has been disbanded by the Government of Jammu and Kashmir.

7. We do not find any merit in this TA. It is accordingly dismissed. There shall be no order as to costs.

(**Pradeep Kumar**)
Member (A)

(**Justice L. Narasimha Reddy**)
Chairman

February 22, 2021
/sunil/akshaya/sd