



CENTRAL ADMINISTRATIVE TRIBUNAL JAMMU BENCH, JAMMU

Hearing through video conferencing

T.A.62/08001/2020

This the 16th day of February, 2021

**HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN
HON'BLE MR. MOHD JAMSHED, MEMBER (A)**

Parveena Akhtar, Age 57 years, D/o Nazir Ahmad, R/o Dalgate, Srinagar.

.....Applicant
(Advocate:- Ms. Jasiya Ali)

Versus

1. State of Jammu & Kashmir through Commissioner/Secretary to Government, Social Welfare Department, Civil Secretariat, Srinagar/Jammu.
2. Director, Social Welfare Department, Old Secretariat, Srinagar.
3. District Social Welfare Officer, Srinagar.
4. District Social Welfare Officer, Ganderbal.

.....Respondents
(Advocate:- Mr. Sudesh Magotra, Deputy Advocate General)

O R D E R
[O R A L]

Delivered by Hon'ble Mr. Justice L. Narasimha Reddy, Chairman: -

The applicant was working as Craft Assistant in DSW Srinagar in the year 2016. Through an order dated 11.06.2016, she was transferred from DSW Srinagar to DSW Ganderbal, to her parent district. Feeling aggrieved by that, the applicant filed SWP No. 1518/2016 by raising several grounds. An interim order was passed on 22.09.2016, directing that the applicant shall remain as Craft Assistant in District Social Welfare Office till the next date of hearing before the Bench.

2. The respondents filed a reply stating that the applicant was basically an employee of DSW, Ganderbal and on her request, she was transferred to Srinagar for a limited period. It is also stated that the applicant has no right to remain at that place on permanent basis.

3. The SWP has since been transferred to this Tribunal in view of re-organisation of the State of Jammu and Kashmir and renumbered as TA No.8001/2020.

4. We heard Ms. Jasiya Ali, learned counsel for applicant and Mr. Sudesh Magotra, Deputy Advocate General for the respondents.

5. It is not in dispute that the appointment of the applicant is in DSWO Ganderbal. On her request, she was transferred and posted in the DSWO, Srinagar As a mode of implementation of General Policy to restore the employees to their original place of posting, the impugned order was passed. No exception can be taken to it.

6. Be that as it may, the applicant has the advantage of the interim order in her favour for 5 years. At least now, the applicant needs to be posted at the unit of her appointment.

7. We accordingly dismiss the T.A., leaving it open to the respondents to issue appropriate order of posting, in accordance with law. The interim order shall stand vacated.

There shall be no order as to costs.

(MOHD JAMSHED)
MEMBER (A)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN