



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.3702/2020
S.W.P. No.399/2017

Tuesday, this the 23rd day of February, 2021

(Through Video Conferencing)

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

Farida Akhter, Age 42 years, W/o Jehangir Ahmad Malik, R/o Tarathpora Kupwara (At present Police colony Bemina), Srinagar-Kashmir.

.. Applicant
(Through Mr. Z.A. Wani, Advocate)

Versus

1. State of Jammu & Kashmir through Commissioner Secretary to Govt., Education Department, Civil Sectt. Jammu/Srinagar.
2. Director School Education, Kashmir-Srinagar.
3. Chief Education Officer Srinagar.
4. Zonal Education Officer Batmaloo, Srinagar.
5. Chief Education Officer, Kupwara.
6. Head Master Boys Middle School Chanapora, Srinagar.

.. Respondents

(Through Mr. Rajesh Thapa, Deputy Advocate General for Mr. Amit Gupta, Additional Advocate General)



O R D E R (ORAL)

Justice L. Narasimha Reddy:

The applicant was appointed as a Teacher in the District of Baramula. It is stated that her husband is working as an ASI and posted with Dr. Farooq Abdullah. On a request made by her, she was transferred to an Institution at Srinagar. The Director of School Education, Kashmir, passed an order dated 27.02.2017, directing that the Teachers, who are working in places other than the one which he/she was appointed, shall be restored to their units of appointment. As a result thereof, the applicant was transferred to General Line Teacher from UPS Daril Payeen to BHSS Tarathpora. Challenging the order of transfer, the applicant filed SWP No. 399/2017 before the Hon'ble High Court of Jammu and Kashmir. Though a prayer was made for interim relief, the same was not granted by the Hon'ble High Court.

2. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu and Kashmir and renumbered as TA No. 3702/2020.

3. Today, we heard Mr. Z.A. Wani, learned counsel for the applicant and Mr. Rajesh Thapa, learned Deputy Advocate General for Mr. Amit Gupta, learned Additional Advocate General.

4. It is not in dispute that the applicant was a Teacher in a unit at Kupwara. On a representation made by her raising certain grounds, she was accommodated in a School at Srinagar District. That arrangement was obviously for a limited period and not a permanent one. The Director of School Education has taken a policy decision to ensure that the Teachers need to work in the units in which they are appointed. No exception can be taken to the impugned order. On account of there not being an interim order, the applicant was required to report to duty at the place to which she was transferred. Nothing remains to be decided at this stage.

5. The T.A. is accordingly dismissed as infructuous. There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

February 23, 2021

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