



Government of Jammu & Kashmir
SCHOOL EDUCATION DEPARTMENT
Civil Secretariat, Jammu/ Srinagar

Subject:- SWP No. 1177/2014 MP No. 1551/2014, SWP No. 756/2015 MP No. 919/2015
titled Arun Kumar V/S J&K State & Ors.

Government Order No: 122 - Edu of 2018
Dated: 01.02.2018

Whereas, vide Government No. 69-Edu of 2015 dated 18.02.2015, Mr. Arun Kumar, I/C HoD DIET, was transferred from DIET Samba to GHSS Gowari, Doda as I/C Principal; and

Whereas, Mr. Arun Kumar approached the Hon'ble High Court (HHC) by filing SWP No. 756/2015 challenging the aforesaid Government Order and the HHC vide its interim order dated 11.03.2015 passed the following direction:-

"Meanwhile, subject to objections from other side and till next date before the Bench, respondents are directed to allow the petitioner to perform his duties in DIET, Samba."

Whereas, the Administrative Department filed the objections in the matter and the HHC finally disposed of SWP No. 756/2015 and 1177/2014 vide its order dated 06.10.2016, the operative part of which is reproduced as under:-

"In such view of the matter the petitioner has not been transferred to any other post in the meanwhile, and if he continues the same position by virtue of the interim order, he is at liberty to make representation to the authority concerned for placing him at the appropriate place as per the transfer policy. Such representation should be made within two weeks from the date of receipt of copy of this order. The authority concerned shall take a decision in this matter preferable within four weeks thereafter. Till such time, the status of the petitioner shall not be disturbed.

Both the writ petitions are disposed of as above."

Whereas, vide Government Order No. 552-Edu of 2017 dated 17.08.2017, Mr. Arun Kumar, was transferred to HSS Chakrabati, Doda as I/C Principal; and

Whereas, Mr. Arun Kumar has submitted a representation for modifying the Government order on medical grounds; and

Whereas, the representation of Mr. Arun Kumar along with certificate of Standing Medical Board has been examined, which states as under:-

"Mr Arun Kumar (HoD DIET), age 55 years, S/o Arjun Dev, R/o Rehari Colony, Jammu, appeared before the Standing Medical Board on 29.12.2016 and was examined. Opinions of the Head, Department of Psychiatry and Gastroenterologist (Dr. Vijant Chandail), Department of Medicine, GMC, Jammu were also sought. As per their opinion, he is a case of irritable bowel syndrome. Current mental status examination status reveals mild depression. He is also a case post choleystectomy Dyspepsia with IBS. He needs dietary precautions for his illness and requires regular treatment and follow up at GMC, Jammu. He is advised to take home made food."

Whereas, the case has been examined in the Department with reference to the above details/opinion of Standing Medical Board and it has been decided to cancel the posting of Mr. Arun Kumar as I/C Principal, HSS Chakrabati, Doda, issued *vide* Government Order No. 522-Edu of 2017 dated 17.08.2017.

Now, therefore, in view of the averments made hereinabove, it is hereby ordered that the posting of Mr. Arun Kumar as I/C Principal, HSS Chakrabati, Doda issued *vide* Government Order No. 522-Edu of 2017 dated 17.08.2017 is hereby cancelled and he shall continue as I/C HoD DIET Samba till further orders.

By order of the Government of Jammu and Kashmir.

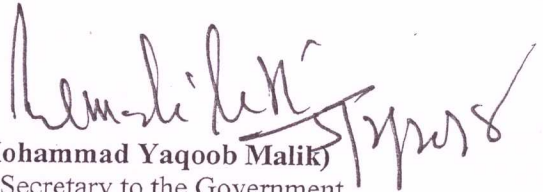
Sd/-
(Farooq Ahmad Shah) IAS
Secretary to the Government,
School Education Department

NO:- Edu/GAZ-A/30/2015-II

Dated:- 01.02.2018

Copy to the:-

1. Director School Education, Jammu.
2. Private Secretary to the Hon'ble Minister for Education for information of the Hon'ble Minister.
3. Private Secretary to the Hon'ble Minister of State for Education for information of the Hon'ble Minister.
4. Chief Education Officer, Doda.
5. Chief Education Officer, Samba.
6. Principal, DIET, Samba.
7. Concerned Officer.
8. Private Secretary to Secretary to the Government, School Education Department for information of Secretary.
9. I/C Website.
10. Government Order file (w.2.s.c)


(Mohammad Yaqoob Malik)
Under Secretary to the Government,
School Education Department