



**GOVERNMENT OF JAMMU AND KASHMIR  
SCHOOL EDUCATION DEPARTMENT,  
CIVIL SECRETARIAT JAMMU**

(Legal Section)  
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Subject: SWP No. 2637/2016 titled Mohd. Aslam V/S State and others.

**Government Order No: 48 - Edu of 2017**

**D a t e d: 31 - 01 - 2017**

Whereas, Sh. Mohd. Aslam (Class-IV) working in ZEO office Balakote was under suspension vide Chief Education Officer, Poonch No. CEO/P/Estt/30876-80 dated 04.03.2016 on the basis of his misbehavior/misconduct to his superior officers. The ZEO, Balakote was directed to relieve him to join BHSS Mendhar till enquiry is completed; and

Whereas, the petitioner approached the Hon'ble High Court by filing SWP No.533/2016 challenging the communication No. CEO/P/Estt/30876-80 dated 04.03.2016 before the Hon'ble High Court; and

Whereas, in the meanwhile, the petitioner was again placed under suspension vide Government Order No. 475-Edu of 2016 dated 06.12.2016 for allegedly duping a complainant of Rs. 1, 66,000/- on the pretext of getting employment for the latter; and

Whereas, the petitioner again approached the Hon'ble High Court by filing SWP No. 2637/2016 seeking following reliefs:-

- I. Quashing the impugned Government Order No. 475-Edu of 2016 dated 06.12.2016 issued by respondent No. 1 by virtue of which the petitioner has been placed under suspension again on the same facts as the petitioner has already been placed under suspension by the respondent No. 3. by virtue of order/communication No. CEO/P/Estt/30876-80 dated 04.03.2016 in which the enquiry is already pending and the said suspension is already under challenge by virtue of SWP No. 533/2016.

*Sum*  
*Sum*

Whereas, the Hon'ble High Court disposed of the writ petition on 09.12.2016 with the directions as under:-

*"In view of the aforesaid submission and in the facts of the case, it is directed that in case the petitioner files an application as contemplated under rule 31 (3) of the rules before Commissioner/Secretary to Government, School Education Department, the aforesaid authority shall decide the application submitted by the petitioner by a speaking order within a period of one month from the date of receipt of such representation".*

Whereas, pursuant to the directions of the Hon'ble High Court, Sh. Mohd. Aslam has filed representation stating therein that the suspension order vide Government Order No. 475-Edu of 2016 dated 06.12.2016 be revoked/reviewed;

Therefore, the representation of the petitioner has been examined in light of directions of the Hon'ble High Court, and it has been found that the petitioner has been suspended by Chief Education Officer, Poonch earlier on the grounds of misbehavior/misconduct to his superior officers while as Government Order No. 475-Edu of 2016 dated 06.12.2016 is based on different grounds, i.e. his alleged duping of a complainant of Rs. 1,66,000/-. Also, though the representee has not responded to the memorandum issued to him on 14.12.2016, indicating Article of charges and statement of imputation, within 21 days, further 7 days time is granted to him to respond to the memorandum.

By Order of the Government of Jammu and Kashmir.

Sd/-

( Shaleen Kabra )

Principal Secretary to Government  
School Education Department

Dated: 31-01-2017

No: Edu/Legal/J/Misc/336/2016

Copy to the:-

1. Director School Education, Jammu for information. She is directed to hold an enquiry into the matter and submit report within week's time.
2. Chief Education Officer, Poonch
3. Pvt. Secretary to Principal Secretary to Government, School Education Department.
4. Incharge Website
5. Mohd. Aslam S/O Chowdhary Suleman R/O Dhargloon Tehsil Balakote District Poonch.
6. Govt. Order file (w.3.s.c)
7. Stock file.



( Naseema Nazir )

Under Secretary to Government  
School Education Department

