



GOVERNMENT OF JAMMU AND KASHMIR
SCHOOL EDUCATION DEPARTMENT,
CIVIL SECRETARIAT JAMMU/KASHMIR
(Legal Section)

Subject: - SWP No. 1343/2002 titled Rehana Ashai V/s State and others.

Government Order No: 329 - Edu of 2016

Dated: 05 - 09 - 2016

Whereas, Mtr. Rehana Ashai was appointed as Teacher in the School Education Department on adhoc basis for a period of 89 days by the General Administration Department vide G.O. No. 225-GAD of 2002 dated 04.02.2002; and.

Whereas, the petitioner filed a writ petition before the Hon'ble High Court at Srinagar bearing SWP No. 1343/2002, the said writ petition came to be disposed of vide order dated 27.07.2015, the operative part whereof is reproduced as under:-

"In the aforementioned backdrop, this writ petition along with connected IAs is disposed of in the following manner:

It is declared that the petitioner is entitled for being appointed on compassionate grounds from the date she has been appointed as teacher on adhoc basis ,viz 04.02.2002. The respondents to issue necessary orders within four weeks for appointment of petitioner on compassionate grounds as General Line Teacher by giving effect to such appointment from 04.02.2002. In case respondents fail to issue necessary orders then it shall be deemed that the petitioner stands appointed on compassionate grounds as General Line Teacher in District Cadre Srinagar from 04.02.2002 and shall be given all the service benefits in accordance with the rules."

Whereas, the matter was referred to Department of Law, Justice and Parliamentary Affairs and the Department has been advised that in terms of the unequivocal declaration made by the Hon'ble High Court, the petitioner is deemed to have been appointed on compassionate grounds as General Line Teacher in District Cadre Srinagar with effect from 04.02.2002.

Now, therefore, in pursuance of the directions of the Hon'ble High Court dated 27.7.2015, sanction is hereby accorded to the appointment of Rehana Ashai D/O Lt. Dr. Farooq Ashai R/O Bone and Joint Hospital Complex, Barzulla, Srinagar as General Line Teacher in District Cadre Srinagar with effect from 04.02.2002.

By Order of the Government of Jammu and Kashmir.


Sd/-
(Shaleen Kabra)
Commissioner/Secretary to Government
School Education Department

No: Edu/Legal/K/136/2015

Dated: 05-09-2016

Copy to the:-

1. Director School Education, Kashmir for information and necessary action.
2. Chief Education Officer, Srinagar for information and necessary action.
3. Pvt. Secretary to Commissioner/Secretary to Government, School Education Department.
4. I/C Website
5. Rehana Ashai D/O Lt. Dr. Farooq Ashai R/O Bone and Joint Hospital Complex, Barzulla, Srinagar.
6. Govt. Order file (w.3.s.c)
7. Stock file


(Naseema Nazir)
Under Secretary to Government
School Education Department