



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

Subject: O.A. No. 61/1233/2021 titled Dharam Pal Sharma V/s UT of J&K.

Government Order No. 379 - JK (Edu) of 2023.

Dated: 28.11.2023.

Whereas, the applicant Sh. Dharam Pal Sharma has filed original application before the Hon'ble Central Administrative Tribunal Jammu. The applicant has prayed to direct the respondent to regularize the services of the applicant as Principal w.e.f. 03.05.2005 i.e. from the date from which he was promoted as In-charge Principal on notional basis, as has been done in case of his juniors and similarly situated persons who have been regularized as Principal vide order dated 20.05.2021;

Whereas, the Hon'ble Central Administrative Tribunal vide order dated 28.12.2021 has disposed of the OA with the following directions:-

".....Looking to the limited prayer made by the learned counsel for the applicant, the O.A. is disposed of with direction to the respondents to treat the O.A. as representation of the applicant and dispose of the same by passing a reasoned and speaking order within a period of six weeks from the date of receipt of a certified copy of this order. A copy of the speaking order, be communicated to the applicant."

Whereas, pursuant to the directions of the Hon'ble Central Administrative Tribunal Jammu the case of the applicant was examined by the Department and it was found that the applicant figured at S.No.76 in the seniority list of ZEOs and equivalent issued vide Government Order No. 125-Edu of 2020 dated 26.06.2020 and has retired on 30.11.2006, before placement as Principal while as his senior as well as junior counter parts, namely Deldan Angmo(ST) figuring at S.No. 65 and Ram Payari-II (SC), figuring at S.No. 81 were placed/promoted as Principal on 28.12.2006 after retirement of the petitioner on 30.11.2006. The petitioner could not be promoted/regularized as Principal as vacancy has accrued after his retirement in light Government Order No. 743 GAD of 2007 dated 28.06.2007;

Keeping in view, the facts and circumstance of the case and in compliance to the directions of the Hon'ble Central Administrative Tribunal passed in OA No. 61/1233/2021 titled Dharam Pal Sharma V/s U.T of J&K, the claim of the petitioner have been considered in the department and being not tenable under rules is hereby rejected.

By Order of the Government of Jammu and Kashmir.

Sd/-

Alok Kumar (IRS)

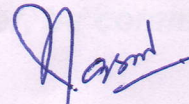
Principal Secretary to the Government,
School Education Department.

No: Edu-LGL0Cou/206/2021-01(108044)

Dated: 28.11.2023.

Copy to the: -

1. Joint Secretary (JK&L) Ministry of Home Affairs, Government of India.
2. Director School Education Jammu for information.
3. OSD with the Advisor (B) to the Lieutenant Governor, UT of J&K for information.
4. Private Secretary to the Principal Secretary to Government, School Education Department for information
5. Sh. Raman Sharma Ld. AAG, High Court of J&K & Ladakh for information.
6. Sh. Dharam Pal Sharma (Petitioner) for information.
7. I/c Website for uploading the same on Official website.
8. Government Order File/Concerned File (w.2.s.c).



(Masood Ahmad Wani)

Deputy Secretary to the Government.

