



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

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Subject: O.A No. 61/31/2024 titled Ravi Kumar Vs UT of J&K & Ors.

**Government Order No. 319 - JK (Edu) of 2024**

**Dated: 13 - 08 - 2024**

**Whereas**, the applicant, Ravi Kumar, Lecturer Botany working at HSS Chakrabati, Doda (Zone-3) was transferred and posted at HSS Shadiwan, Doda (Zone-4) vide Government Order No. 261- Jk(Edu) of 2023 dated 30.08.2023. Being aggrieved with his transfer, the applicant filed Original Application No. 1142/2023 before the Hon'ble Central Administrative Tribunal, Jammu.

Further, Vide Government Order No. 40-JK(Edu) of 2024 dated: 05.01.2024, the case of the applicant was considered and same has been found not tenable under rules and was rejected with the further direction to join at HSS Shadiwan, Doda (Zone-4) without any further delay;

**Whereas**, the applicant again challenged the Government Order No. 40-Jk(Edu) of 2024 dated 05.01.2024 and filed OA No. 69/2024 titled Ravi Kumar V/s UT of JK and others before the Hon'ble Central Administrative Tribunal Jammu, praying for following reliefs:

- I. Prayer seeking quashing of the Government Order no.40-JK (Edu) of 2024 dated 05.01.2024 passed by respondent no. 1 vide which it has been ordered that the claim/representation of the applicant has been found not tenable under rules and is hereby rejected. the applicant is further directed to immediately join at HSS Shadiwan Doda (Zone4) without any further delay failing which strict disciplinary action shall be initiated against him under rules and also the relieving order No. HSS/CB/290-93 dated 10.01.2024 passed by respondent no. 3 with directions to report to principal HSS Shadiwan Doda for further duties and the same is grossly arbitrary, passed with non-application of mind, in violation of the Transfer Policy in vogue and in the given facts and circumstances of the case.
- II. Prayer seeking direction for the respondents to allow the applicant to continue at in GHSS Chakrabati, Doda, Zone-III in pursuance to para C (16) and para A (3) of the Transfer Policy dated 24.04.2024 also A (c) of the Notification dated 26.04.2023, or to



post the applicant to Zone 1 or Zone 2 of District Doda in pursuance to para C (16) of the Transfer Policy issued vide Government Order No.103-JK (Edu) of 2023 dated 24.04.2023, in the given facts and circumstances of the case.

**Whereas**, the Hon'ble Central Administrative Tribunal vide order dated 06.02.2024 has disposed of the OA, the operative part of which is reproduced as under:

***"...Accordingly, the Original Application is disposed of with a direction to respondents to treat this O.A. with all annexures as representation of the applicant and consider the same by passing reasoned and speaking.***

***Respondents are further directed to communicate the order so passed to the applicant. The whole exercise shall be completed within a period of six weeks from the date of receipt of a certified copy of this order.***

***It is made clear that I have not entered into the merits of the case.***

***However, there shall be no orders so as to costs.***

***Till the disposal of the O.A., the respondents are directed to allow the applicant to work in the present place of posting."***

**Whereas**, the case was examined afresh and it has been found that the case of the applicant was rejected after examining the issue in detail and no new grounds emerge which shall warrant re-consideration of the issue. Besides, the post of lecturer is a UT cadre post and as such can be posted anywhere in the UT of J&K. The applicant has been posted in his home district and his request for modification seems unjust.

Now, therefore, in light of the above stated facts and circumstances, the claim of the applicant has been considered in light of the directions passed by the Hon'ble Central Administrative Tribunal, Jammu on 30.01.2024 passed in O.A No. 61/31/2024 titled Ravi Kumar Vs UT of J&K & Ors and the same has been found not tenable under rules and is hereby rejected. The applicant is further directed to immediately join at HSS Shadiwan, Doda (Zone-4) without any further delay, failing which strict disciplinary action shall be initiated against him under rules.

**By order of the Government of Jammu and Kashmir.**

**Sd/-**

**Alok Kumar, (IRS)**

Principal Secretary to the Government,  
School Education Department.

No: Edu-LGL0Jmu(CAT)/349/2023-04

Dated:- 13 .08.2024



Copy to the:-

1. Joint Secretary, J&K, Ministry of Home Affairs, Government of India.
2. Director, School Education, Jammu.
3. OSD to Advisor (B) to the Hon'ble Lieutenant Governor, J&K UT.
4. Chief Education Officer Doda.
5. Concerned.
6. Private Secretary to Secretary to Government, School Education Deptt.
7. I/c website.
8. Government Order file (w.2.s.c).

13.08.2024

**(Thannaji Bhat),**  
Under Secretary to the Government  
School Education Department.