

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

**SWP No. 2022/2015 c/w
CPSW No. 570/2017**

Muzaffar Ahmad Reshi

... Petitioner(s)

Through: -

Mr Mohammad Altaf Khan, Advocate.

V/s

State of J&K and Ors.

... Respondent(s)

Through: -

Mr Satinder Singh Kala, AAG; and
Mr Furqan Yaqoob Sofi, Government Advocate.

CORAM:

Hon'ble Mr Justice Rahul Bharti, Judge.

(ORDER)

13.03.2025

01. The subject matter of this writ petition remains no more cognizable by this court as the same now falls within the jurisdiction of the Central Administrative Tribunal, Srinagar Bench to take over the adjudication of this matter upon its transfer.

02. However, for the facility of direction for transferring of this present case to the Central Administrative Tribunal, Srinagar Bench, a recital about the facts and circumstances needs to be set in by this court to serve the perspective in which the transfer of the case is taking place.

03. The petitioner was engaged as ReT (3rd Teacher) in Upgraded Primary School Chewa, Uller. The engagement of the petitioner as ReT was with effect from 3rd of February, 2005.

04. After having put in five years of service as an ReT, the petitioner's engagement came to be regularized as a General Line Teacher in terms of an order No. 1077 DSEK of 2010 dated 24th of May, 2010 passed by the Director, School Education, Kashmir and thus, the petitioner came to be absorbed on the civil post in the non-gazetted cadre of Education Service of the State of Jammu and Kashmir as it was then.

05. It is in his said status as being a permanent employee of the Government of J&K holding a civil post, that of being a teacher, that the petitioner came to suffer termination for the reasons relatable to his educational qualification which became the subject matter of successive writ petitions and the present one being the last one.

06. In the writ petition, the impugned order is 2128 DSEK of 2015 dated 14th of July, 2015 passed by the Director, School Education, which in turn is sourced to termination of the petitioner which came to take place by an order No. 024-ZEO of 2011 dated

26th of July, 2011 passed by ZEO which got confirmed by virtue of impugned order No. 2128 DSEK of 2015 dated 14th of July, 2015.

07. Thus, the subject matter of the writ petition is a service related claim of the petitioner in the context of his service which was put to termination from the end of the respondents and which is sought to be salvaged by the petitioner through the intervention of the judicial adjudication.

08. As such, this writ petition warrants its transfer from this Court to the Central Administrative Tribunal (CAT), Srinagar Bench in the light of Notification No. GSR318(E) dated 28th of May, 2020 which provides for the transfer of case/s.

09. Registrar Judicial, Srinagar to transfer the record of this writ petition to the Central Administrative Tribunal, Srinagar Bench by retaining an index.

10. Parties are directed to appear before the Central Administrative Tribunal, Srinagar Bench on 19th of May, 2025.

(Rahul Bharti)
Judge

SRINAGAR
March 13th, 2025
"TAHIR"