

(2020) 06 J&K CK 0032

In the Jammu And Kashmir High Court

Case No : Civil Miscellaneous No. 2140, 2141 Of 2020, Writ Petition (C) No. 955 Of 2020

Dalbeer Singh

APPELLANT

Vs

Union Territory Of J&K And Others

RESPONDENT

Date of Decision : 26-06-2020

Acts Referred:

Citation : (2020) 06 J&K CK 0032

Hon'ble Judges : Sanjay Dhar, J

Bench : Single Bench

Advocate : Aijaz Ahmad Chisti

Final Decision : Disposed Off

Judgement

Sanjay Dhar, J

CM No.2140/2020

Instant application seeking extension of time for annexing/depositing the requisite court fee with the writ petition, in view of the grounds urged therein, is allowed. The petitioner shall deposit the requisite court fee with the Registry of this Court within a period of one week from the date of lifting of lockdown on account of COVID-19 by the Government.

CM is disposed of.

WP (C) No.955/2020

CM No.2141/2020

1. In the instant petition, reliefs claim by the petitioners are reproduced as under:-

"A Writ of Mandamus, commanding of the respondents/ Education Department to initiate the process of regularization/confirmation as teacher who has completed

required period of 5 years as Rehbar-e-Taleem Teacher, regardless of the complaint pending against the family of the petitioner.

With a further command to release all consequential benefits including maintaining of seniority as General Line Teacher of the petitioner from the date the petitioner has joined the department as Rehbar-e-Taleem Teacher."

2. The case set up in the petition is that the petitioner has already completed five years of continuous service as Rehbar-e-Taleem Teacher and as per rules, is due to be regularized as General Line Teacher with all consequential benefits including maintaining his seniority.

3. It is also averred in the writ petition that on account of a land dispute with the relatives, a false and frivolous complaint was lodged against the whole family of the petitioner which culminated in registration of case FIR No.06/2014, which is aimed at stalling the regularization of the petitioner, hence the instant petition.

4. During the course of arguments, learned counsel for the petitioner has submitted that he will be satisfied if a direction is issued to respondent No.7-SHO, P/S, Karnah, to furnish the requisite report to the relevant authority, as has been sought from him.

5. In view of above position, this writ petition is disposed of with a direction to the respondent No.7 to furnish the requisite report to the concerned authority in accordance with law, within a period of two weeks from the receipt of this order.