

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
(Chief Justice's Secretariat)**

Subject: Representation on behalf of Rafiq Ahmad Qadri, Senior Assistant, CJM Court, Kargil seeking transfer from hard station Kargil to home District.

Order

No.: 1645 of 2022/PSY Dated: 05-12-2022

Whereas, Shri Rafiq Ahmad Qadri, Senior Assistant during his posting as Reader in the Court of Munsiff/JMIC, Pampore, was transferred and posted as Sr. Assistant in the Court of Chief Judicial Magistrate, Kargil, pursuant to High Court Order No. 696 of 2022/PSY dated 17.06.2022;

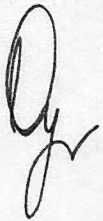
Whereas, in compliance to the aforesaid transfer order, the applicant Shri Rafiq Ahmad Qadri, Senior Assistant joined in the Court of Chief Judicial Magistrate, Kargil;

Whereas, the applicant Shri Rafiq Ahmad Qadri, Senior Assistant submitted a representation before this Secretariat seeking his transfer back from hard Station (Kargil) to home District on the ground that he is having Locomotive disability having 45% degree of Disability and has to undergo surgery for "Total Hip Replacement". He has also been diagnosed of "Asthmatic Bronchitis Disease" and it is difficult for him to survive at this hard station;

Whereas, the applicant Shri Rafiq Ahmad Qadri, Senior Assistant, has requested that his representation may be considered and he may be transferred back from hard Station (Kargil) to his home District. The applicant has enclosed copies of the prescriptions and Disability Certificate with the representation in support of his claim.

Whereas, Shri Rafiq Ahmad Qadri is holding the post of Senior Assistant and there is no administrative constraint of his posting in near or near his native place in terms of transfer policy in vogue;

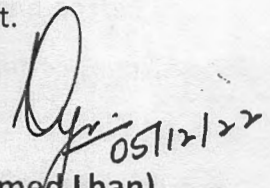
Whereas, the representation of the applicant Shri Rafiq Ahmad Qadri, Senior Assistant, alongwith allied enclosures was placed before the Hon'ble Chief Justice. The Competent Authority (Hon'ble the Chief Justice) considered the representation of the applicant and has been pleased to pass the following order:



"The incumbent falls within Disabled Category so needs convenient posting as per the transfer policy, No substitute can be posted having mature stay/during winter, therefore, keeping in view the nature of disability which may be disadvantageous for the health of the incumbent his representation having merit is partly accepted to the extent of attaching him in the Court of PDJ, Pulwama till April, 2023.

Therefore, Shri Rafiq Ahmad Qadri, Senior Assistant presently posted in the Court of Chief Judicial Magistrate, Kargil is attached with the Court of Principal District & Sessions Judge, Pulwama till April, 2023. His salary shall be drawn from the original place of his posting i.e. CJM Court, Kargil after furnishing attendance certificate from the Presiding Officer of the Court of his attachment.

By order.

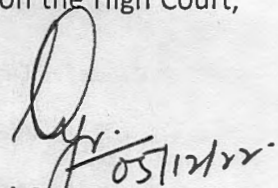

(Aijaz Ahmed Lhan)
Principal Secretary to
Hon'ble the Chief Justice

No.: 1020-24/PSY-602

Dated: 05-12-2022

Copy to the:

1. Principal District & Sessions Judge, Kargil/Pulwama for information and necessary action.
2. Sub Judge/CJM, Ladakh.
3. Chief Librarian, High Court wing, Srinagar/Jammu.
4. In charge NIC, High Court wing, Srinagar/Jammu for uploading on the High Court, Websitw.
5. Office file.


Principal Secretary to
Hon'ble the Chief Justice