

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

(Through Virtual Mode)

SWP 2078/2018

KABIR AHMED

...Petitioner/Appellant(s)

Through: None

Vs.

STATE OF JK & ORS

...Respondent(s)

Through: None

CORAM:

HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE

ORDE R

08.05.2026

1. In this petition, the petitioner has challenged an order dated 17th July, 2018, passed by the Warden Gujjar & Bakarwal Hostel, Reasi, whereby the petitioner was detached from the hostel and directed to report back to his parent department. The case of the petitioner is that he was appointed as ReT Teacher in the year 2007 and regularized as General Line Teacher vide Government Order No. 904-Edu of 2017 dated 26.10.2017. Pursuant thereto, he was deputed to Gujjar & Bakarwal Hostel, Reasi on the terms and conditions contained in Schedule VIII of the J&K CSR. The petitioner assails the impugned order primarily on the ground that the Warden had no authority to relieve him or order his repatriation, as such power vested only with the Government which had initially deputed him.
2. Having heard learned counsel for the parties and perused the record, it emerges that the petitioner was deputed to the Gujjar & Bakarwal Hostel, Reasi vide Government Order dated 26.10.2017, subject to the terms and conditions governing deputation under the

J&K CSR. One of the conditions governing deputation, as envisaged under Schedule VIII of the J&K CSR, provides that deputation shall ordinarily be for a period not exceeding three years, extendable by one more year. Thus, the maximum permissible period of deputation in the case of the petitioner could not have exceeded four years, i.e., beyond 25th October, 2021.

3. It is by now well settled that no employee can claim a vested right to continue on deputation beyond the maximum permissible period prescribed under the rules. During the pendency of the present petition, this Court had directed maintenance of *status quo*, in consequence whereof the petitioner has been continuing on deputation and has already exhausted the maximum tenure permissible under law. In that view of the matter, when the grievance projected by the petitioner is examined, no effective relief can now be granted to him as the maximum period of deputation has come to an end by efflux of time.
4. Accordingly, the writ petition has been rendered infructuous and no case for interference is made out. The petition is, therefore, **dismissed** along with all connected applications.

(SANJEEV KUMAR)
JUDGE

SRINAGAR:

08.05.2026

"MIR ARIF"