

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/01/2021

This the 05th day of January, 2021



HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)

1. Aqib Bin Bashir S/o Bashir Ahmad Pala and three ors

.....Applicants

(Advocate: Mr. Jahangeer Muzafar-Not Present)

Versus

1. State through Secretary to Govt. Rural Development Department and Panchayat Raj J&K Civil Secretariat Sgr.
2. Director Rural Development Department Kashmir, Srinagar.
3. District Development Commissioner Anantnag (Coordinator MGNREGA) Anantnag.
4. District Panchayat Officer Anantnag.
5. Assistant Commissioner Development Anantnag.
6. Executive Engineer REW Anantnag.
7. Block Development Officer, Khoveripora.
8. Gh. Qadir Mir S/o Ab. Aziz Mir, R/o Akhura Mattan

.....Respondents

(Advocate: Mr. Amit Gupta, Id. A.A.G.)

ORDER**[O R A L]**

The present TA has been received by way of transfer from the Court of Sub-Judge, Anantnag. It has been submitted by the learned A.A.G. that the case pertains to MGNREGA, as such, this Tribunal has no jurisdiction to hear the case. Contention of the learned counsel A.A.G. has force and has to be accepted. MGNREGA does not come within the jurisdiction of this Tribunal and the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the MGNREGA under the Act. We accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any petition related to any service dispute in the MGNREGA.

2. In similar circumstances, the Bench of Armed Forces Tribunal, Jammu comprising of Hon'ble Mr. Justice Mohammad Tahir, Member (J) and Hon'ble Vice Admiral A.G.Thapliyal in TA No. 267 of 2017 (SWP No. 1188 of 2014) titled Bahadur Singh v/s Union of India vide order dated 25.03.2019 held that since the Tribunal does not have the jurisdiction to deal with the matter.

3. Therefore, since this Tribunal has no jurisdiction to deal with the present case, this case be sent back to Court of Sub-Judge, Anantnag for further orders.



4. Both the parties are directed to appear before the Court of Sub-Judge, Anantnag.

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun