

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 62/136/2021

This the 01st day of February, 2021



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

1. Dr. Ahmed Tauqeer Zahid, Aged 36 years, S/o G.M. Zahid, R/o Baghi Mehtab Srinagar, District Srinagar. Presently posted at Abdul Ahad Azad Memorial College Bemina Srinagar-190001 (Assistant Profession Department of Management Studies)
2. Dr. Mudasir Raja, Aged 30 years, S/o Shakil Ahmad Raja, R/o Lokhripora Nowshera Srinagar, District Srinagar-190001.
3. Parvaiz Ahmad Rather, Aged 35 years, S/o Mohd Sidiq Rather, R/o Ganderbal District Ganderbal-191201. Presently posted as Abdul Ahad Azad Memorial College Bemina Srinagar (Assistant Professor Department of Public Administration).
4. Dr. Bilal Ahmad Zargar, Aged 40 years, S/o Adb Ahad Zargar, R/o Budgam District Budgam-191111. Presently posted at Abdul Ahad Azad Memorial College Bemina Srinagar (Assistant Professor Department of Arabic).
5. Dr. Mohd Tahir Ganie, Aged 34 years, S/o Ghulam Nabi Ganie, R/o Kadlabal Pampore District Pulwama-192121. Presently posted at Abdul Ahad Azad Memorial College Bemina Srinagar (Assistant Professor Department of Political Science).
6. Tanveer Ahmad Dar, Aged 36 years, S/o Abdul Majeed Dar, R/o Chandipora Bijbehara District Anantnag-193102. Presently posted at Govt College for Women's M.A. Road Srinagar (Assistant Professor Department of Economics).
7. Tawseef Ahmad Bhat, Aged 32 years, S/o Mohammad Yousuf Bhat, R/o Chakoora Pulwama District Pulwama-192103. Presently posted at Govt College for Women's M.A. Road Srinagar (Assistant Professor Department of Political Science).



8. Dr. Sajad Ahmad Pary, Aged 30 years, S/o Ab Gani Pary, R/o Yader Shahoora Pulwama District Pulwama-192103. Presently posted at S.P. College Srinagar (Assistant Professor Department of Mathematics).
9. Dr. Saba, Aged 36 years, D/o Abdul Rehman, R/o Kadlabal Pampore, District Pulwama-192121. Presently posted at Govt Women's College M.A. Road Srinagar (Assistant Professor Department of Journalism & Mass Communication)
10. Dr. Mohammad Ashraf Khaja, Aged 30 years, S/o Mohammad Sultan Khaja, R/o Rawalpura Kralgund, Handwara District Handwara-193222. Presently posted at Amar Singh College Srinagar (Lecturer Department of History).
11. Dr. Tariq Ahmad Malik Aged 29 years, S/o Mohd Maqbool Malik, R/o Litter Pulwama District Pulwama-192103. Presently posted at Amar Singh College Srinagar (Assistant Professor Department of Economics)
12. Dr. Hilal Ahmad Parray, Aged 31 years, S/o basher Ahmad Parray, R/o Panjipora Sopore District Baramulla-193101. Presently posted at Amar Singh College Srinagar (Assistant Professor Department of Economics).
13. Dr. Jahangir Ali, Aged 30 years, S/o Ali Mohd Dar R/o Bagh-e-Rehmat Sopore District Baramulla-193101. Presently posted at Amar Singh College Srinagar (Assistant Professor Department of Economics).

.....Applicants

(Advocate: Mr. G.N. Shaheen)

Versus

1. Jammu and Kashmir Union Territory through Chief Secretary to Government of J&K Civil Secretariat, Jammu/Srinagar-190001.
2. Commissioner-Secretary to Government of J&K Higher Education Department, Civil Secretariat, Jammu/Srinagar-190001.
3. Financial Commissioner (Finance Department) Civil Secretariat, Jammu/Srinagar-190001.
4. Director Colleges J&K UT Jammu/Srinagar-190001.



5. Vice Chancellor Cluster University Srinagar Gojgi Bagh Srinagar-190001.
6. Registrar Cluster University Srinagar Gojgi Bagh Srinagar-190001.
7. Dean Academic Affairs Cluster University Gojgi Bagh Srinagar-190001.
8. Principal presently posted at Abdul Ahad Azad Memorial College Bemina Srinagar-190001.
9. Principal Govt. College for Women's M.A. Road, Srinagar-190001.
10. Principal S.P. College, Srinagar-190001.
11. Principal Amar Singh College Srinagar-190001.

.....Respondents

(Advocate: Mr. Sudesh Magotra, Id. Deputy Advocate General)

ORDER

[O R A L]

(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)

It is submitted by Mr. Amit Gupta, learned A.A.G. for respondents that the case pertains to Cluster University, Gojgi Bagh, Srinagar. As such, this Tribunal has no jurisdiction to hear the case.

2. Contention of the learned A.A.G. has force and it is to be accepted. Cluster University, Gojgi Bagh, Srinagar has not been brought within the jurisdiction of this Tribunal by notification to be issued by the Central Government under Section 14 (2) of the Administrative Tribunal Act, 1985.



3. The Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the Cluster University, Gojgi Bagh, Srinagar 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 Cluster University, Gojgi Bagh, Srinagar.

4. In view of the submission made above, we are of the view that O.A. deserves to be dismissed and accordingly OA is dismissed having no jurisdiction. Applicant is at liberty to approach appropriate forum, if he is so advised. No order as to costs.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)