

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/40/2021

This the 05th day of January, 2021

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

Mohammad Altaf Sheikh Son of Abdul Aziz Sheikh Resident of Deva Colony Tehsil and District Anantnag, Kashmir

.....Applicant

(Advocate: Mr. G.Q. Bhat-Not Present)

Versus

1. State of J&K through Commissioner/Secretary to Govt Housing and Urban Development Deparmentnet J&K Civil Secretariat, Srinagar.
2. Director Urban Local Bodies, Kashmir, Srinagar.
3. Administrator Municipal Council Anantnag.
4. Executive Officer Municipal Council Anantnag.
5. Nelofer Jan Daughter of Nazir Ahmade Sheikh R/o Athwajan Panthachowk, Srinagar.
6. Abdul Aziz Sheikh Son of Sonaullah Sheikh R/o, Deva Colony, Anantnag

.....Respondents

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



O R D E R

[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 at the Bar that since the case pertains to Municipal Council, Anantnag, this Tribunal cannot assume jurisdiction in respect of any service matter pertaining to Municipal Council, Anantnag.

2. Contention of learned A.A.G. has force and it is to be accepted. Municipal Council 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. 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.

4. 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.



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

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun