

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/86/2021

This the 11th day of January, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. C.V. SANKAR, MEMBER (A)**

1. Jyoti Kumar Sharma (Aged: 42 years), S/o Ganesh Dutt, R/o Village Allah, Tehsil Bishnah District Jammu and 5 ors

.....Applicants

(Advocate: Mr. S.A. Makroo)

Versus

1. State of Jammu & Kashmir through Commissioner/Secretary to Government Power Development Department, Civil Secretariat, Srinagar/Jammu.
2. J&K State Power Development Corporation, Jehangir Chowk, Srinagar/Satwari, Jammu through its Managing Director.
3. Board of Directors, J&K State Power Development Corporation, Jehangir Chowk Srinagar/Satwari, Jammu.
4. Management & Finance Sub-Committee, J&K State Power Development Corporation, Jehangir Chowk Srinagar/Satwari, jammu.
5. Administrative Officer, J&K State Power Development Corporation, Jehangir Chowk Srinagar/Satwari, jammu.

.....Respondents

(Advocate: Mr. Amit Gupta, 1d. Additional Advocate General)





O R D E R
[O R A L]
(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)

The present TA has been received by way of transfer from Hon'ble High Court of J&K at Srinagar. It has been submitted at the Bar that since the respondent J&K State Power Development Corporation has not been brought within the jurisdiction of this Tribunal by a notification to be issued by the Central Government under Sec. 14 (2) of the Administrative Tribunal Act, 1985, the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the J&K State Power Development Corporation 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 J&K State Power Development Corporation.

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, the case be sent back to the Registrar (Judicial), High Court of Jammu & Kashmir to be listed before the appropriate Bench.

3. Therefore, since this Tribunal has no jurisdiction to deal with the present case, this case be sent back to Registrar (Judicial), High Court of Jammu & Kashmir at Srinagar to place before the Hon'ble Bench for further orders.



4. Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Srinagar on 18.02.2021.

(C.V. SHANKAR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun