

Central Administrative Tribunal

Jammu Bench, Jammu



T.A. No.62/2723/2020

This the 27th day of October, 2020

(Through Video Conferencing)

**Hon'ble Mr. Rakesh Sagar Jain, Member (J)
Hon'ble Mr. Anand Mathur, Member (A)**

1. Hayat Mohammad Khan (aged 45 years),
S/o. Habib-ullah Khan, R/o. Natipora,
Pamposh Colony, Srinagar (Elected President).
2. Chowdhary Basharat Ahmad, (aged 46 years),
S/o. Chowdhary Gh. Mohi-ud-Din,
R/o. Shamsabad, Sector-4, House No. 30,
Bemina, Srinagar.
(Elected General Secretary).

...Applicants

(Mr. Altaf Haqani, Advocate for applicant)

Versus

1. State of Jammu & Kashmir through Commissioner/
Secretary to Govt., Finance Department,
Civil Secretariat, Jammu/Srinagar.
2. J&K Handicrafts (Sales & Export) Corpn.,
Through its Managing Director, Srinagar.
3. Financial Controller & Chief Accouns Officer,
J&K Handicrafts (Sales & Export) Corpn., Srinagar.

4. Accounts Officer, J&K Handicrafts (Sales & Export) Corp., Srinagar.

...Respondents

(Mr. Rajesh Thapa, Deputy Advocate General)

O R D E R (ORAL)

Hon'ble Mr. Rakesh Sagar Jain, Member (J):

It is submitted by the learned counsel for the applicants as well as Mr. Rajesh Thapa, learned D.A.G. for respondents that the case pertains to J&K Handicrafts (Sales & Export) Corporation. As such, this Tribunal has no jurisdiction to hear the case. Contention of both the learned counsel for the applicants and learned D.A.G. has force and to be accepted. J&K Handicrafts (Sales & Export) Corporation 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 and the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the J&K Handicrafts (Sales & Export) 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 Handicrafts (Sales & Export) 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 and copy of Order has been placed on record.

3. Therefore, since this Tribunal has no jurisdiction to deal with the present case, this case be sent back to the 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 29.11.2020.



(Anand Mathur)
Member (A)

(Rakesh Sagar Jain)
Member (J)

Piyush