



**Central Administrative Tribunal
Jammu Bench, Jammu**

T.A. No.62/4441/2020

This the 16th day of November, 2020

(Through Video Conferencing)

Hon'ble Mr. Rakesh Sagar Jain, Member (J)
Hon'ble Mr. Mohd Jamshed, Member (A)

Mufti Burhan Shah, Aged 52 years, S/o Mohammad Ayub Shah, R/o
Mughal Masjid, Hawal, Srinagar.

...Applicant

(By Advocate : Mr. J.I. Ganai)

Versus

1. University of Kashmir, through its Registrar, Hazratbal, Srinagar.
2. Vice Chancellor, University of Kashmir, Hazratbal, Srinagar.
3. Commissioner/Secretary to Government, Higher Education
Department, Civil Secretariat, Srinagar.
4. Commissioner/Secretary to Government PWD (R&B)
Department, Civil Secretariat, Srinagar.

...Respondents

(By Advocate : Mr. Rajesh Thapa, DAG)

O R D E R (ORAL)

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

It is submitted by the learned counsel for the applicant as well as
learned counsel for respondents that the case pertains to University of
Srinagar. As such, this Tribunal has no jurisdiction to hear the case.



2. Contention of both the learned counsel and learned A.A.G. has force and it is to be accepted. University of 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 the University 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 Central University.

4. 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.

5. 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 Jammu, to place before the Hon'ble Bench for further orders.



6. Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Srinagar on 17.12.2020.

(Mohd Jamshed)
Member (A)

(Rakesh Sagar Jain)
Member (J)

Piyush