



**Central Administrative Tribunal
Jammu Bench, Jammu**

T.A. No.62/4539/2020

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)

Rubiya Jan, Aged 27 years, D/o Sh. Nabi Wani, R/o Sheikhe Mohallah Sallar, Tehil Sallar, District, Anantnag, Kashmir.

...Applicant

(By Advocate : Mr. P.S. Ahmad)

Versus

1. State of Jammu and Kashmir through Commissioner / Secretary to Govt. Social Welfare Department Civil Secretariat Jammu/Srinagar.
2. Director Commissioner, Kashmir, Srinagar.
3. Director, Social Welfare Department, Kashmir, Srinagar.
4. Deputy Commissioner, Kupwara.
5. District Social Wellfare Officer, Kupwara.
6. Child Development Project Officer, ICDS, Langate.
7. Mst. Tasleema Begum, W/o Farooq Ahmad Sheikh, R/o Peer Khanabad, HanjiShart, Langate Handwara, District Kupwara.

...Respondents

(By Advocate : Mr. Rajesh Thapa, DAG)

O R D E R (ORAL)



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 case pertains to Anganwari worker, the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to Anganwari workers and placed reliance on State of Karnataka v/s Ameerbi, (2007) 11 SCC 681.

2. It has been clearly held by the Hon'ble Apex Court in case of Ameerbi (supra) that this Tribunal has no jurisdiction to hear the case pertaining to Anganwari workers. We accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any petition related to any service dispute of the Anganwari workers.

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, the



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

4. 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.

5. 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