

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/4664/2020

This the 16th day of December, 2020

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

1. Mushtaq Ahmad Bhat, Age 38 years, S/o Mohd Akbar Bhat, R/o Khrew Tehsil and District Pulwama and 82 others

.....Applicants

(Advocate: Mr. L.A. Latief-**Not Present**)

Versus

1. State of Jammu & Kashmir through Commission cum Secretary Government Industries & Commerce Department, Civil Secretariat Jammu/Srinagar.
2. Managing Director, JK Cements Ltd, Nawai Subh Complex Zero Bridge Srinagar.
3. Secretary, JK Cements Ltd Nawai Subh Complex Zero Bridge Srinagar.
4. General Manager, JK Cements, Ltd Khrew, Pampore.

.....Respondents

(Advocate: Mr. Sudesh Magotra, Id. Deputy Advocate General)



ORDER**[O R A L]****Delivered by Hon'ble Mr. Anand Mathur, Member (A): -**

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 the J&K Cement Ltd workers, the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to Corporation.

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 Corporation. We accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any petition related to any service dispute of the Corporation 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 Registrar (Judicial), High Court of

Jammu & Kashmir at Srinagar to be placed 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 01.02.2021.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun