

Central Administrative Tribunal Jammu Bench, Jammu



T.A. No.62/4744/2020

This the 17th day of November, 2020

(Through Video Conferencing)

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

Priney Akhter aged 29 years, W/o Sajad Mubarak Lone, R/o Batapora Kulgam, Kashmir.

...Applicant

Advocate: Mr. P.S. Ahmad

Versus

1. State of J&K through Commissioner/Secretary to Govt Social Welfare Department Civil Secretariat, Srinagar/Jammu.
2. Director, Social Welfare, Kashmir, Srinagar.
3. Programme Officer, ICDS, Anantnag/Kulgam.
4. Child Development Project Officer, ICDS project, Kulgam.
5. Ruqya Jan, D/o Gull Mohd. Malla, R/o Path Khandipora, Kulgam, Kashmir.

...Respondents

(By Advocate: Mr. Rajesh Thapa, Ld. DAG



OR 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 workers, 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 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 24.12.2020.

(Mohd Jamshed)
Member (A)

“Manish”

(Rakesh Sagar Jain)
Member (J)