

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/4791/2020

This the 02nd day of March, 2021

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

Mubeena Bano, age 35 years, D/o Mohammad Sultan Rather, R/o Rather Mohalla
Karihama, Kupwara.

.....Applicant

(Advocate:- Mr. M A Qadiri-**Not Present**)

Versus

1. State of J&K through Commissioner/Secretary to Government, Social Welfare Department, Civil Secretariat, Srinagar/Jammu.
2. Director Social Welfare Department, Kashmir, Srinagar..
3. District Programme Officer, ICDS Project, Kupwara.a
4. Child Development Project Officer, ICDS Project, Kupwara.

.....Respondents

(Advocate: Mr. Rajesh Thappa, Deputy Advocate General)

ORDER

ORAL

(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 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 31.03.2021.

(ANAND MATHUR)
MEMBER (A)
Arun

(RAKESH SAGAR JAIN)
MEMBER (J)