

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/4862/2020

This the 13th day of January, 2021

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

Mithas Ahmad Dar, S/o Ghulam Ahmad Dar, R/o Tawheed Bagh,
Sopore, Kashmir.

.....Applicant

(Advocate: Mr. Mian Tufail Ahmad vice Mr. M.A. Qayoom)

Versus

1. University of Kashmir through Registrar, University of Kashmir,
Srinagar and 8 ors

.....Respondents

(Advocate: Mr. Rajesh Thappa, 1st Deputy Advocate General)

**O R D E R
[O R A L]**

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

It is submitted by Mr. Rajesh Thappa, learned D.A.G. for respondents
that the case pertains to University of Kashmir. As such, this Tribunal has no
jurisdiction to hear the case.





2. Contention of the learned D.A.G. has force and it is to be accepted. University of Kashmir 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 to the University of Kashmir 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 University of Kashmir.

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.

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 Srinagar, 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 18.02.2021.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun