

CENTRAL ADMINISTRATIVE TRIBUNAL

JAMMU BENCH, JAMMU

Dated: This 23rd Monday day of November 2020

Present:

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER – J

HON'BLE MR. MOHD JAMSHED, MEMBER – A

T.A. No. 62/5364/2020

Mohd Yousuf Wani, 60 years,
S/o. Mohd Ramzan Wani,
R/o. Kheei Jogipara, Kulgam,
Ex-Field Supervisor, J&K SFC

.....Applicant

(Counsel for the Applicant: Mr. Zahoor Jan)

Versus

1. J & K SFC through its Secretary,
J&K State Forest Corporation,
Raj Bagh, Srinagar/Gladni Narwal, Jammu;
2. Managing Director,
J&K State Forest Corporation,
Raj Bagh, Srinagar/Gladni Narwal, Jammu;
3. Divisional Manager (SSD),
J&K State Forest Corporation,
Rambagh, Srinagar.

.....Respondents

(Counsel for the Respondents: Mr. Amit Gupta, AAG)

ORAL ORDER

Per Rakesh Sagar Jain, Member (J)

1. 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 respondent J&K State Forest Corporation has not been brought within the jurisdiction of this Tribunal by a notification to be issued by the Central Government under Sec. 14 (2) of the Administrative Tribunal Act, 1985, the Tribunal cannot assume jurisdiction in respect of any service matter pertaining the Corporation 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 J&K State Forest Corporation.
2. 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.
3. Therefore, since this Tribunal has no jurisdiction to deal with the present case, this case be sent back Registrar (Judicial), High Court of Jammu & Kashmir at Srinagar to place before the Hon'ble Bench for further orders.

- Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Srinagar on 11.01.2021

(Mohd. Jamshed)
Member A

(Rakesh Sagar Jain)
Member J

Asvs.