

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**



Hearing through video conferencing

T.A. No. 062/5475/2020

This the 24th day of November, 2020

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. MOHD JAMSHED, MEMBER (A)

Raouf Ahmad Ahanger (Age 39 years) S/o Gh. Rasool Ahanger, R/o
Sheeraz Colony, Soura, Srinagar.

.....Applicant

(Advocate: Mr. Altaf Haqani-None)

Versus

1. Islamic University of Science & Technology, Kashmir through its Registrar.
2. Vice Chancellor, Islamic University of Science & Technology, Awantipora, Kashmir.
3. Athar-ud-Din, S/o Muneer-ud-din Shawl, R/o Qazibagh, Anantnag, Kashmir.
4. Mrs. Shazana Indrabi, D/o Iftikhar Ahmad Indrabi, R/o Baghat Chowk, Srinagar.

.....Respondents

(Advocate: Mr. Amit Gupta, Id. Additional Advocate General)

ORDER
[O R A L]



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

It is submitted at Bar that this case pertains to Islamic University of Science & Technology, Kashmir. As such, this Tribunal has no jurisdiction to hear the case.

2. Contention of learned A.A.G. has force and it is to be accepted. Islamic University of Science & Technology, 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 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 Islamic University of Science & Technology, 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 and copy of Order has been placed on record.

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 25.01.2021.

(MOHD. JAMSHED)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun/-