

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

TA No.62/5606/2020

(SWP No. 961 of 2015)



This the 25th day of November, 2020

**HON'BLE MR. JUSTICE L. NARASIMHA REDDY, CHAIRMAN
HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

Mohd. Qasim Malla (Aged: 46 years) S/o Ali, Mohd. Malla, R/o
Nowgam, Sonawari, Sumbal, District Bandipora.

.....Applicant

(Advocate: Ms. Saima Mehub for Mr. Hilal Akbar Lone)

Versus

1. State of Jammu & Kashmir, through Secretary to Revenue
Department, Govt. Of J&K, Civil Secretariat, Srinagar/Jammu.
2. Deputy Commissioner, Bandipora.
3. Assistant Commissioner, Revenue, District Bandipora.
4. Tehsildar, Tehsil Sumbal, Bandipora.

.....Respondents

(Advocate:- Mr. Sudesh Magotra, Deputy Advocate General)

ORDER
[O R A L]

Justice L. Narasimha Reddy, Chairman:

The applicant was elected as Lumberdar of the village Nowgam. The Tehsildar, Sumbal, passed order dated 11.04.2015 placing the applicant under suspension on the allegation that he committed irregularities in the context of distribution of flood relief and that he misbehaved with ladies in the locality. The applicant filed SWP No. 961 of 2015 before the Hon'ble High Court of Jammu and Kashmir, challenging the order of suspension. An interim order was passed on 18.05.2015.

2. The Writ Petition has since been transferred to this Tribunal in view of reorganization of the State of Jammu and Kashmir and renumbered as T.A. No. 62/5606/2020.

3. Today, we heard Ms. Saima Mehbub for Mr. Hilal Akbar Lone, learned counsel for the Applicant and Mr. Sudesh Magotra, Deputy Advocate General, for the Respondents.

4. It appears that the Hon'ble High Court treated the Writ Petition as the one, filed by a civil servant and transferred the same to this Tribunal.

5. It is clear from the record that the applicant is an elected representative and not a civil servant. This Tribunal does not have jurisdiction to deal with matters pertaining to elected representatives. We, therefore direct the Registry to return the file back to Hon'ble High Court of Jammu & Kashmir by enclosing a copy of this order.

(A.K. BISHNOI)
MEMBER (A)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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