

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/6119/2020

This the 18th day of December, 2020



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

Dr. Shakeel Ahmad Sofi,. Age 33 years, S/o Abdul Salam Sofi, R/o
Umar Colony Lal Bazar Srinagar.

.....Applicant

(Advocate: Mr. G.A. Bhat)

Versus

1. National Institute of Technology, Hazratbal Srinagar through its
Director.
2. Registrar, National Institute of Technology, Hazratbul, Srinagar

.....Respondents

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

ORDER**[O R A L]****Delivered by Hon'ble Mr. Anand Mathur, Member (A): -**

This case has been transferred from the Hon'ble High Court of Jammu & Kashmir at Srinagar. It is submitted by learned counsel for the applicant as well as Mr. Amit Gupta, learned A.A.G. for respondents that the case pertains to National Institute of Technology. As such, this Tribunal has no jurisdiction to hear the case.

2. Contention of the learned counsel for the applicant as well as the learned A.A.G. has force and it is to be accepted. National Institute of Technology 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 National Institute of Technology 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 National Institute of Technology.



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 01.02.2021.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun