



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.62/6272/2020

This the 01st day of December, 2020

(Through Video Conferencing)

Hon'ble Mr. Rakesh Sagar Jain, Member (J)
Hon'ble Mr. Anand Mathur, Member (A)

1. Bashir Ahmad Rather, S/o Gh. Rasool Rather, R/o Ganderbal, Aged 55 years.
2. Abdul Gani Bhat, S/o Mohd Akbat Bhat, R/o Garind Khured Budgam, Aged 56 years.
3. Rizia Gazi Akhter, D/o Ab.Hamiz Qazi, R/o Lalbazar, Aged 55 years.
4. Bilal Imtiyaz Ahmad, S/o Gh. Mustafa Bhat, R/o Chanapora, Srinagar, Aged 53 years.
5. Shaheeha Malik, D/o Malik Gh. Hassan R/o Dooru, Anantnag, Aged 52 years.
6. Preetam Kour, D/o Inder Singh, R/o Solina Srinagar, Aged 55 years.
7. Afroza Mehboob, D/o Mehboob Ahmad Khan, R/o Kathi Darvaza, Aged 56 years.
8. Zahida Parveen, D/o Ahadullah, Sahib, R/o Shopian Kashmir, Aged 52 years.
9. Lali Mir, D/o Ab. Aziz Mir, R/o Rainwari, Srinagar, Aged 52 years.
10. Saleema Bano, D/o Ab. Ahad Sheikh, R/o Sopore, Kashmir Aged, 56 years.
11. Najmul Sehar, D/o Ali Mohd Sheikh, R/o Wazir Bagh, Aged 55 years.



12. Farooq Ahmad Pahalwan, S/o Gh. Mohammad R/o Kanipora, Srinagar, Aged 58 years.
13. Shayista Qari, D/o Mohd Asim Qari, R/o Lalbazar Aged 53 years.
14. Mehmooda Sofi, D/o Ab. Gani Sofi, R/o Shopian, Aged 57 years.
15. Mehmooda Bano, D/o Peer Mohd Syed, R/o Sopore, Aged 53 years.
16. Yashmin Jan, D/o Mohd Yashin Wani, R/o Naribal, Botakadal, Lal Bazar, Sgr. Aged 52 years.
- 17.. Mohd Ashraf Lone, S/o Gh. Mohd Lone, R/'o New Colony Shopian, Aged 55 years.
18. Ghulam Fatima, D/o Gh. Ahmad R/o Bulbul Lanker, Naraan Joo Temple Sgr. Aged 57 years.
19. Mohd Amin, S/o Gh. Nabi, R/o Nowpora, Khanyar, Sgr. Aged 52 years.
20. Jagdish Singh Bali, S/o Kartar Singh, R/o Attina Beeru Budgam, Aged 53 years.
21. Ms. Maqsooda, D/o Gh. Nabi Zaz, R/o Syed Kocha Kawdara, Sgr. Aged 53 years.
22. Mushtaq Ahmad Kharadi, S/o Gh. Mohd Kharadie, R/o Bahloochi Pora, Nowshera, Aged 57 years.
23. Firdousa Pandit, D/o Gh. Mohd Pandit, R/o 84 Balgardan Sgr. Aged 56 years.
24. Ms Ulfat, D/o Ab. Samad Bhat, R/o NBowpora, Khanyar, Sgr. Aged 52 years.
25. Hasina Bano, D/o Gh. Rasool Bhat, R/o Solina Bala, Sgr. Aged 58 years.
26. Ms Maymoona, D/o Mohd Ramzan, Khalwal, R/o Kalwal Mohalla, Rainawari, Sgr. Aged 51 years.
27. Nazir Ahmad Langoo, S/o Gh. Hassan Langoo, R/o Bagh Jogi Lankar Rainwari, Sgr. Aged 33 years..



28. Ms. Zamrooda, D/o Gh. Mohd Zarger, R/o Gurgari, Mohalla Near S.M. Ghat, Zaina Kadal, Sgr. Aged 52 years.
29. M. JamalDar, S/o Ab. Aziz Dar, R/o Pattan Kashmir, Aged 53 years.
30. MSA. Bilquees, D/o Ab. Rehman Baba, R/o Natipora, Aged 48 years.
31. Ms Mymoon Syed, D/o Mohd Syed, R/o Natipora, Aged 50 years.
32. Khalida Akhter, D/o Ab. Gani Bhat, R/o Buchpora, Aged 50 years.
33. Shaheeha Qadri, D/o Mubark Shah Qadri, R/o Soura, Aged 48 years.
34. Shabnam Ara, D/o Mohd Sultan, R/o Kanipora, Aged 49 years.
35. Mukhtar Ahmad Shah, S/o Mohd Sed Shah, R/o Kathidarwza, Aged 47 years.
36. Tasleema Sheikh, D/o Gh. Rasool Sheikh, R/o Shalimar, Aged 47 years.
37. Ms Hafeeza, D/o Gh. Mohd Pachloo, R/o Saraf Kadal, Sgr. Aged 57 years.
38. Gh. Mohammad Yatoo, S/o Mohammad Sultan Yatoo, R/o Nagam, District Budgam.
39. Asmat Ara, D/o Gh. Mohi-ud-din, R/o Lal Bazar.

...Applicant

Advocate: Mr. M.A. Beigh

Versus

1. Sher-i-Kashmir, University of Agricultural Sciences & Technology (SKUAST) of Kashmir Through its Registrar, Shalimar Campus, Srinagar.



2. Vice Chancellor, Sher-I-Kashmir University of Agricultural Sciences & Technology (SKUAST) of Kashmir Shalimar Campus Srinagar..
3. Comptroller, Sher-I-Kashmir (University of Agricultural Sciences & Technology (SKUAST), of Kashmir Shalimar Campus, Srinagar.
4. University Council, Sher-I-kashmir University of Agricultural Sciences & Technology (SKUAST) of Kashmir Shalimar Campus, Srinagar.
5. Additional Chief Secretary (Finance) (Financial Advisor Universities) J&K Govt. Srinagar.

...Respondents

(Advocate:Mr. Rajesh Thapa, Deputy Advocate General)

O R D E R (ORAL)

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

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 respondents, Sher-I-Kashmir University of Agricultural Sciences & Technology (SKUAST) 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 Sher-I-Kashmir University of Agricultural Sciences & Technology (SKUAST) 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 Sher-I-Kashmir University of Agricultural Sciences & Technology (SKUAST).



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.
4. Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Srinagar on 12.1.2021.

(Anand Mathur)
Member (A)

“asvs”

(Rakesh Sagar Jain)
Member (J)