



**Central Administrative Tribunal  
Jammu Bench, Jammu**

Hearing through video conferencing

**T.A. No.62/6293/2020**

This the 1<sup>st</sup> day Tuesday of November, 2020

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

Wali Mohammad Nengroo. Aged 57 years,  
S/o. Kh. Ghulam Mohammad Nengroo,  
Hajanbala, Tehsil Rajpura, Pulwama Kashmir

.....Applicant

(Mr. B.A. Khan, Advocate)

**Versus**

1. State of Jammu and Kashmir  
through Commissioner/Secretary to Government,  
Housing & Urban Department Civil Secretariat,  
Srinagar;
2. Commissioner, Srinagar Municipal Corporation,  
Srinagar;
3. Departmental Promotion Committee (Commissioner SMC);
4. Joint Commissioner (Adm) SMC Srinagar;
5. Secretary SMC Srinagar;
6. Ghulam Rasool Dar, Assistant Secretary (General) SMC  
Srinagar;
7. Issar Ahmad Bhat, Estates Officer, SMC Srinagar.

..... Respondents

(Mr. Amit Gupta, Additional Advocate General)

**ORDER (ORAL)**

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

1. It is submitted by the learned counsel for the applicant as well as Mr. Sudesh Magotra , Dy. Advocate General for respondents that this Tribunal has no jurisdiction to hear the case.
2. Contention of both the learned counsel and learned D.A.G. has force and it is to be accepted.
3. It is submitted by the Mr. Amit Gupta, Learned Addl. Advocate General that this Tribunal has no jurisdiction to hear the case since the respondents 2 to 7 are not covered by any notification to be issued by the Central Government under Section 14(2) of the Administrative Tribunal Act, 1985, therefore, the Tribunal cannot assume jurisdiction in respect of any service matter pertaining in respect of the Srinagar Municipal Corporation, Srinagar 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 respect of Srinagar Municipal Corporation, Srinagar.

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.

5. 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.

6. 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)**

**(Rakesh Sagar Jain)**  
**Member (J)**

asvs