

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**T.A. No. 61/9246/2020**

This the 30<sup>th</sup> day of December, 2020



**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)**

Omkar Nath Bhat,  
Son of late Sh.Pandit Gopi  
Nath Bhat, Originally resident  
Of 159-Jawahirnagar, Srinagar,  
Kashmir Presently residing in  
H.No.219/2, Gangyal Garden,  
Jammu, aged 72 years.

.....Applicant

(Advocate: Mr.K.L.Pandita )

**Versus**

1. State of Jammu and Kashmir through Commissioner Cum Secretary Higher Education Department, Civil Sectt. Kammu.
2. Financial Advisor/Chief Accounts Officer, Migrant Cell, Civil Sectt. Jammu.
3. Deputy Provident Fund Commissioner, J&K Employees, Provident Fund Organisation, Old Sectt. Building, Jammu.
4. Vishwa Bharti Womens Welfare Institution, Rainawari Srinagar, through the Management Committee, Akalpore Morh, Muthi, Jammu.

.....Respondents

(Advocate: Mr. Rajesh Thappa, Id. Deputy Advocate General)

**ORDER****[O R A L]**

**Delivered by Hon'ble Mr. Anand Mathur, Member (A): -**



1. The present TA has been received by way of transfer from Hon'ble High Court of J&K at Jammu. It has been submitted at the Bar that since the respondent State of Jammu and Kashmir through Commissioner-Cum Secretary, Higher Education Department 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 Higher Education Department under the Act. I accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any petition related to any service dispute in the Higher Education Department.

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 to Registrar (Judicial), High Court of

Jammu & Kashmir at Jammu 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 17.02.2021.

**(RAKESH SAGAR JAIN)**  
**MEMBER (J)**

*Ak/-*