



**Central Administrative Tribunal  
Jammu Bench, Jammu**  
Hearing through video conferencing

**T.A. No.61/199/2020  
&  
MA/61/329/2020**

This the 25<sup>th</sup> day Wednesday of November, 2020

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

Anju Kapoor, Age 47 years,  
W/o.Dr. Arun Gandotra,  
R/o. 220 Adarsh Enclave-II, Sector 1 Extension,  
Trikuta Nagar, Jammu.

.....Applicant in both TA & MA

(Mr. Ajay K Gandotra, Advocate)

**Versus**

1. State of Jammu and Kashmir  
Through Commissioner/Secretary to Government,  
Higher Education, Civil Secretariat,  
Jammu;
2. Vice Chancellor, University of Jammu,  
Baba Saheb Ambedkar Road, Jammu;
3. Managing Trustee,  
M.C. Khalsa Education Trust, Chand Nagar,  
Jammu;
4. President, M.C. Khalsa College of Education,  
Chand Nagar, Jammu.

..... Respondents in both TA & MA

(Mr. Sudesh Magotra , Dy. Adv. General)

## **O R D E R (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. Sudesh Magotra, Learned Dy. Advocate General that this Tribunal has no jurisdiction to hear the case since the University i.e. respondents 2, 3 & 4 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 respondents 2, 3 & 4 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 Respondent No.2, 3 & 4.
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 Jammu 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 Jammu on 15.12.2020.

**(Mohd. Jamshed)**  
**Member (A)**

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

asvs