

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL

JAMMU BENCH, JAMMU

Dated: This 28<sup>th</sup> day of September 2020

Present:

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

**HON'BLE MR. ANAND MATHUR, MEMBER – A**

T.A. No. 061/200/2020

Nirmal Kour W/o Late Shri Gurbachan Singh R/o Ward No. 7, near Foot Bridge, Kathua aged 53 years.

.....Applicant

(By Advocate: Ms. Surinder Kour, Senior Advocate)

Versus

1. State of Jammu and Kashmir through Chief Secretary, Government of J&K, Civil Secretariat, Srinagar.
2. Commissioner/Secretary to Government Transport Department, Government of J&K, Civil Secretariat, Srinagar.
3. Managing Director, Jammu and Kashmir State Road Transport Corporation, Jammu/Srinagar.
4. Joint Managing Director, J&K State Road Transport Corporation, Jammu.
5. Financial Advisor, J&K State Road Transport Corporation, Jammu.
6. Divisional Accounts Officer, J&K State Road Transport Corporation, Jammu.

7. General Manager (Administration), Jammu and Kashmir State Road Transport Corporation, Jammu.
8. Manager (Administration) J&K State Road Transport Corporation, Jammu.
9. Accountant General (A&E), Jammu.

.....Respondents

(By Advocate: Mr. Amit Gupta, AAG)

## **O R D E R**

Per Rakesh Sagar Jain, Member (J)

1. The present T.A. has been received from the Hon'ble High Court of J&K for disposal under law. Applicant Nirmal Kour has filed the present case against State Road Transport Corporation, Jammu (hereinafter referred to as 'Corporation') regarding her service matter. Mr. Amit Gupta, learned AAG has raised a preliminary objection that Central Administrative Tribunal does not have the jurisdiction to try the present case.
2. In the present case, since Corporation/Company 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 Act and therefore, so long as this notification is not issued, the Tribunal cannot assume jurisdiction in respect of any service matter pertaining the Corporation 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 Corporation.
3. 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.

4. 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.
5. Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Srinagar on 07.10.2020.

(Anand Mathur)

Member A

(Rakesh Sagar Jain)

Member J

Manish/-