

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**O.A. 61/85/2020**

**Order reserved on 05.11.2020**

**Order pronounced on 16.11.2020**



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

Atish Bamotra, Age 39 years, W/o Dimple Padha D/o Harbans lal, R/o Vijaypur, House No. 53 Ward 8, District Samba.

.....Applicant

(Advocate: Mr. Ajay Bakshi)

**Versus**

1. UT of Jammu and Kashmir, Through its Commission Secretary Health and Medical Civil Secretariat, Jammu/Kashmir.
2. UT of J&K, Through its project Director, AIDS prevention and Control Centre, Sector – 14 Nank Nagar Near Sector 5, Trikuta Nagar Jammu.
3. Reena Jamwal, D/o Yashpal Singh, R/o Bari Brahamana Jammu

.....Respondents

(Advocate: Mr. Amit Gupta, Additional Advocate General)

**O R D E R**

**Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member (J): -**

The applicant seeks quashing of the select list numbered as JKSAACS/Adm/20/6801 dated 13.03.2020, wherein some candidates have been appointed on the post of Counsellor. It is the case of the applicant that he had also applied for the post of Counsellor in response to the employment



notification no. 01 of 2018 dated 16.10.2018 but he was not selected for the said post. It is the case of the applicant that the private respondent Reena Jamwal is not a permanent resident of District Samba and that the experience certificate issued by the State to the private respondent no. 3 is prima facie only for the purpose of getting the appointment order and therefore, the respondents while appointing the private respondent no. 3 have violated the terms and conditions of employment notification number 01 of 2018. Hence, the learned counsel for the applicant seeks quashing of the appointment order as well as direction to the respondents to appoint him for the post of Counsellor ICTC Centre, District Hospital, Samba.

2. It has been argued by the learned A.A.G. that the appointments have been made in Jammu & Kashmir AIDS Control Society and as per Section 14 (2) of the Administrative Tribunal Act, 1985, the Jammu & Kashmir AIDS Control Society has not been brought within the jurisdiction of this Tribunal by notification issued by the Central Government and the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the Jammu & Kashmir AIDS Control Society under the Act.



3. The contention of A.A.G. has force and has to be accepted. The Jammu & Kashmir AIDS Control Society is not listed under Section 14 (2) of the Administrative Tribunal Act, 1985. This Tribunal is not vested with any jurisdiction to entertain any petition related to any service dispute in the Jammu & Kashmir AIDS Control Society.

4. Accordingly, the O.A. is dismissed for lack of jurisdiction.

5. No order as to cost.

(ANAND MATHUR.)  
MEMBER (A)  
*Arun/-*

(RAKESH SAGAR JAIN)  
MEMBER (J)