

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 61/514/2020

This the 21st day of January, 2021

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

Dr. Vikas Sharma, Aged 37 years, S/o Sh. Vinod Kumar Sharma R/o
Siot, Sunderbani District Rajouri and one another

.....Applicants

(Advocate: Mr. Ahsan Mirza-**Not Present**)

Versus

1. State of Jammu and Kashmir through Commissioner/Secretary, Health and Medical Education Department, Civil Secretariat, Jammu and 5
ors.

.....Respondents

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



ORDER**[O R A L]****(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)**

The applicants are aggrieved of order no. CMO/R/2018-19/9372-79 dated 16.02.2019 issued by the respondent No. 4 whereby the services of the applicant no. 1 as Medical Officer (ISM) PHC Kallar Chatyar under the National Health Mission have been terminated and Order No. CMO/R/2018-19/9380-87 dated 16.02.2019 issued by the respondent no. 4 whereby the services of the applicant no. 2 as Medical Officer (ISM) PHC Gambir Mughlan under the National Health Mission have been terminated.

2. For Central Administrative Tribunal to have the jurisdiction of the District Health Society, Rajouri, the said Society has not been nominated in Schedule of Sub-Section (4) of Section 14 of the Central Administrative Tribunals Act, 1985. Accordingly, we do not have the jurisdiction to entertain/try the present petition.

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 to Registrar (Judicial), High Court of Jammu & Kashmir at Jammu to be placed 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 Jammu on 18.02.2021.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)