

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 61/01284/2020

This the 22nd day of February, 2021

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

Zakir Hussain S/o Ghulam Mohd Malik, R/o Qadarna, Tehsil
Marwah, District Kishtwar, Age 24 years.

.....Applicant

(Advocate: Ms Surinder Kour)

Versus

State of Jammu and Kashmir through Chief Secretary, Government
of J&K, Civil Secretariat, Jammu AND 05 OTHERS.

.....Respondents

(Advocate: Mr. Amit Gupta, A.A.G. assisted by Mr Sudesh Magotra)



ORDER**[O R A L]**

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



The present TA has been received by way of transfer from the Hon'ble High Court of Jammu & Kashmir at Jammu vide order dated 15.06.2020.

2. It has been submitted at the Bar that since the case pertains to MNREGA and MNREGA 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 to the MNREGA 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 MNREGA.

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. 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 17.03.2021.



(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

ss/-