

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**O.A. No. 61/259/2021**

This the 16th day of February, 2021



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

1. Rajesh Kumar S/o Munshi Ram age 40 years, R/o Ajna (Dool) Tehsil Nagsani and District Kishtwar.
2. Farooq Ahmed S/o Gh. Hassan Bhat age 37 years, R/o Village Karalpura (Dool), Tehsil Nagsani and District Kishtwar,
3. Mehraj Din, S/o Jamad Ali, Age 38 years, R/o Chicha, Tehsil Nagsani and District Kishtwar,
4. Farood Ahmed, S/o Meena Bakerwal, age 40 years, R/o Payas, Tehsil Nagsani and District Kishtwar.
5. Thakur Chand, S/o Sham lal, age 39 years, R/o Bhatan, Tehsil Nagsani District Kishtwar.
6. Pervaiz Ahmed Kichloo, age 40 years, S/o Mehraj Din Kichloo, R/o Semanabhata, Tehsil Nagsani and District Kishtwar
7. Bal Krishan age 37 years, S/o Ram Dutt R/o Semanabhata Puller Tehsil Nagsani and District Kishtwar.
8. Bhidi Singh, age 45 years, S/o Massa Ram, R/o Kawar, Tawzi, Tehsil and District Kishtwar.
9. Daya Krishan, age 42 years, S/o Sawami Raj, R/o Kawar, Tehsil and District Kishtwar

.....Applicants

(Advocate:- Mr. Mehtab Gulzar)

**Versus**

1. The Union Territory of J&K through Secretary to Govt. FCS & CA Department J&K.
2. Director of Food Civil Supplies and Consumer Affairs, Jammu-180001
3. Joint Director of Food Civil Supplies and Consumer Affairs, Jammu-180001.
4. Deputy Director of Food Civil Supplies and Consumer Affairs, Jammu-180001.
5. Assistant Director of Food Civil Supplies and Consumer Affairs, Kishtwar-182204.

.....Respondents

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

**ORDER**

**[O R A L]**

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

The applicants are Fair Price Shop Dealers working on commission basis, in different villages of District Kishtwar.



2. Learned A.A.G. submits that fair price shop dealer is not civil post, as such, this Tribunal has no jurisdiction to hear the case.

2. Contention of learned A.A.G. has force and it is to be accepted. Post of Fair Price Shop Dealer is not a civil post and it has not been brought within the jurisdiction of this Tribunal by notification to be issued by the Central Government under Section 14 (2) of the Administrative Tribunal Act, 1985.

3. The Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the Fair Price Shop Dealer 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 Fair Price Shop Dealer.

4. In view of the submission made above, we are of the view that OA deserves to be dismissed and accordingly OA is dismissed having no jurisdiction leaving it open to the applicant to approach appropriate forum, if so advised. No order as to costs.

**(ANAND MATHUR)**  
**MEMBER (A)**

*Arun*

**(RAKESH SAGAR JAIN)**  
**MEMBER (J)**