



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

TA. No.61/1426/2020

This the 18th day of November, 2020

**Hon'ble Mr. Rakesh Sagar Jain, Member (J)
Hon'ble Mr. Mohd. Jamshed Member (A)**

Rayaz Ahmed Mattoo age 38 years, S/o Ghulam Hassin Matto, R/o Doligam, Banihal.

.....Applicant

(Mr. Aditya Gupta, Advocate)

Versus

1. State of J&K through Commissioner/Secretary Housing & Urban Development Department, Civil Secretariat, Jammu.
2. Director Urban Bodies, Gandhi Nagar, Jammu.
3. Administrative Notified Area Committee, Banihal.
4. Executive Officer, Municipal Committee, Banihal.

..... Respondents

(Mr. Amit Gupta, AAG)

O R D E R (ORAL)

Hon'ble Mr. Rakesh Sagar Jain, Member (J)

1. The present TA has been received by way of transfer from Hon'ble High Court of J&K at Jammu. It has been submitted at the Bar that since the respondent Municipal Committee 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 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 Municipal Committee.
2. 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.
3. 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.

4. Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Jammu on 19.12.2020

(Mohd. Jamshed)
Member (A)

(Rakesh Sagar Jain)
Member (J)

Manish/-