



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

T.A. No.61/01906/2020

This the 19th day of February, 2021

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

Mohd. Azad, Age 33 years, S/o Sh. Chatto Gurs, R/o Village Dugli, Tehsil Bhalla, District Doda.

.....Applicant
(Mr. S.S. Ahmed assisted by Mr Dhiraj Choudhary, Advocate)

Versus

1. The State of Jammu and Kashmir through its Principal Secretary (Home), Civil Secretariat, Srinagar.
2. The Senior Superintendent of Police, Doda.
3. The Sub-Divisional Police Officer, Bhaderwah, District Doda.
(Enquiry Officer)

..... Respondents
(Mr. Amit Gupta, AAG)

ORDER (ORAL)**Hon'ble Mr. Anand Mathur, Member (A)**

Heard.

It is submitted by the learned counsel for the applicant as well as Mr. Amit Gupta, learned A.A.G. for respondents that the applicant was engaged as Special Police Officer (SPO) and it is not a civil post. As such, this Tribunal has no jurisdiction to hear the case.

2. Contention of learned A.A.G. as well as learned counsel for the applicant has force and it is to be accepted as the post of Special Police Officer 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. Accordingly, this Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the Special Police Officer 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 Special Police Officer.

3. 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 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 15.03.2021.

(Anand Mathur)
Member (A)**(Rakesh Sagar Jain)**
Member (J)

SS/-