

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**



Hearing through video conferencing

T.A. No. 061/2096/2020

This the 09th day of October, 2020

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. PRADEEP KUMAR, MEMBER (A)**

1. Jiwan Singh, age 55 years, S/o Late Sh. Prem Singh, R/o 40, Chowghan Slathia, Jammu.
2. Rattana Devi, age 53 years, W/o Sh. Bachan Lal, R/o Ghoumanhasan, Tehsil and District Jammu.
3. Parveen Sotra, age 44 years, S/o Late Sh. Des Raj, R/o Resham Ghar, Jammu.
4. Indu Bhushan, age 48 years, S/o Om Prakash, R/o Nagrota, Tehsil and District Jammu.
5. Ravinder Bhat, age 49 years, S/o Late Sh. Makan Lal Bhat, R/o C-113, Sector No.2, Durga Nagar, Jammu.
6. Jyoti, age 55 years, W/o Sh. Jai Del Singh, R/o 141, Old Gura, B. Nagar, Jammu.
7. Ashwani Kumar, age 47 years, S/o Late Sh. Hans Raj, R/o Hupwal, Vijapur, Tehsil and District Samba.
8. Sharda Kumari, age 54 years, D/o Late Sh. Janki Nath, R/o MPL Flat No.4, Resham Ghar Colony, Jammu.
9. Bodh Raj, age 46 years, S/o Late Sh. Beli Ram, R/o Kishtwar.
10. Jasbir Singh, age 53 years, S/o Late Sh. Atma Singh, R/o Birpur, Tehsil and District Samba.

.....Applicants

(Advocate: Mr. Vikas Mangotra)

Versus

1. State of Jammu and Kashmir, through Finance Commissioner/ Secretary to Government Housing and Urban Development Department, J&K Govt. Civil Secretariat, Srinagar.



2. Jammu Municipal Corporation through its Commissioner. Town Hall, Jammu.
3. Sanjeev Kumar Sharma, S/o Late Sh. VP Sharma, R/o H.No. 267/F Lane No.10, Shakti Nagar, Jammu.
4. Sabar Hussain, S/o Sh. Naik Mohammad, R/o Village Ari, Tehsil Mendar and District Poonch, At present Upper Bathindi, Jammu.
5. Sanjay Gandotra, Enforcement Inspector, Jammu Municipal Corporation, Jammu.

.....Respondents

(Advocate: Mr. Amit Gupta)

O R D E R
[O R A L]

Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member (J): -

It is submitted by the learned counsel for the applicants as well as Mr. Amit Gupta, learned A.A.G. for respondents that the case pertains to Jammu Municipal Corporation. As such, this Tribunal has no jurisdiction to hear the case. Contention of both the learned counsel and learned A.A.G. has force and to be accepted. Jammu Municipal Corporation 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, as such, the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the University under the Act.

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 16.11.2020.

(PRADEEP KUMAR)
MEMBER (A)

*sk*s/-

(RAKESH SAGAR JAIN)
MEMBER (J)