



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.61/2121/2020

This the 26th day of October, 2020

(Through Video Conferencing)

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

Aman Kumar, aged 40 + years, S/o. Sh. Hans Raj,
/o Village Dhera, Tehsil Bhella & District Doda
(J & K State).

...Applicant

(Mr. Rajnesh Singh Parihar, Advocate for the applicant)

Versus

1. State of Jammu and Kashmir through Commissioner-Secretary to Government, Home Department, J & K Government, Civil Secretariat, Srinagar.
2. Director General of Police, Police Headquarter, Srinagar, Jammu and Kashmir.
3. Deputy Inspector General of Police, Doda, Kishtwar and Ramban Range.
4. Senior Superintendent of Police, Doda.

...Respondents

(Mr. Amit Gupta, Additional Advocate General for respondents)

O R D E R (ORAL)**Hon'ble Mr. Rakesh Sagar Jain, Member (J):**

It is submitted by the learned counsel for the applicant as well as Mr. Amit Gupta, learned A.A.G. for respondents that the case pertains to SPO who are not holder of civil post. As such, this Tribunal has no jurisdiction to hear the case. Contention of both the learned counsel for the applicant and learned A.A.G. has force and to be accepted. We accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any petition related to any service dispute in the matter of SPOs.

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 and copy of Order has been placed on record.

3. Therefore, since this Tribunal has no jurisdiction to deal with the present case, this case be sent back to the 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 29.11.2020.

(Anand Mathur)
Member (A)

“SA”

(Rakesh Sagar Jain)
Member (J)