



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

O.A. No.61/948/2020

This the 26th day Thursday of November, 2020

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

Darshana Devi, age 38 years,
W/o. Jia Lal,
R/o. Village Bagla,
Tehsil Bharath Bagla and District,
Doda-182 201.Applicant
(Mr.S. S. Chandel, Advocate)

Versus

1. Union Territory of Jammu and Kashmir
Through Commissioner /Secretary,
Health and Medical Education Department,
Civil Secretariat, Jammu/Srinagar-180 001;

2. Chief Medical Officer,
Doda-182 201;

3. Radha Devi,
D/o. Manhoori Lal Gaddi,
W/o. Opdish Singh,
R/o. Gadyari, Tehsil & District Doda-182 202.
..... Respondents
(Mr. Amit Gupta, AAG)

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

OA has been filed by the applicant seeking the following reliefs:-

“i) applicant seeking quashment of Final select list issued by respondent No.2 vide communication No. CMO/NHM-214 dated 11.07.2020 qua the respondent No.3 only, as she has been selected in violation of terms and conditions of the advertisement No.01 of 2019 dated 31.10.2019 especially the terms and conditions of local criteria as respondent No.3 admittedly belongs to a different village Gadyari and not village Bagla for which the post of FMPHW (ANM) was advertised for Sub Centre Bagla and therefore she does not fulfil the term/ condition of local criteria

ii) Further seeking quashment of subsequent order of engagement/appointment issued in favour of the respondent No.3 for the post of FMPHW (ANM) in Sub Center Bagla (copy not provided to the applicant despite submission of RTI application and will be placed on records of the instant OA as soon as the same will be provided to the applicant.)”

2. The case of the applicant is that pursuant to an advertisement notice No.01 of 2019-20 dated 31.10.2019 issued by the respondent no.2 on behalf of District Rural Health Society, Doda (National Health Mission), applicant, being fully eligible and fulfilling all the terms and conditions including the local criteria, applied for the post of FMPHW(ANM) for Sub Centre Bagla. Although she was called for and faired well in the interview after passing in the written test, instead of

being selected her, respondents no.3 was shown as selected, who admittedly belongs to a different village, Gadayari and does not fulfil the term/condition of local criteria. Hence, she filed the instant OA seeking the aforesaid relief.

3. It is submitted by the learned counsel for the applicant as well as Mr. Amit Gupta, learned A.A.G. for the respondents that this Tribunal has no jurisdiction to hear the case since applications have been invited on behalf of District Rural Health Society.

4. For the Central Administrative Tribunal to have the jurisdiction of the District Rural Health Society, Doda, the said Society has not been nominated in Schedule of Sub-Section (4) of Section 14 of the Central Administrative Tribunal Act, 1985. Accordingly, we do not have the jurisdiction to entertain/try the present petition and the same is dismissed without jurisdiction. The applicant may approach the appropriate forum for redressal of her grievance.

No order as to costs.

(Mohd. Jamshed)
Member (A)

(Rakesh Sagar Jain)
Member (J)

asvs