



Central Administrative Tribunal Jammu Bench, Jammu

T.A. No.61/4046/2020

This the 11th day of November, 2020

(Through Video Conferencing)

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

1. Shaidha Akhter age 36 years, W/o Mohd Jameel R/o Fathepur, Tehsil and District, Rajouri.
2. Arshad Begum age 36 years W/o Ghulam Hussain R/o Gurdhan-Balla, Tehsil & Distt. Rajouri.

...Applicant

Advocate: None

Versus

1. State of Jammu and Kashmir, through its Chief Secretary to Government Civil Sectt, Srinagar/Jammu.
2. Secretary to Government Social Welfare Department Civil Sectt. Srinagar/Jammu..
3. Director Social Welfare Department Jammu.
4. Programme Officer Head Quarter Directorate of Social Welfare Department Jammu.
5. Programme Officer (ICDS) Rajouri, Distt. Rajouri..

...Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

O R D E R (ORAL)

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 case pertains to Anganwari workers, the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to anganwari workers and placed reliance on State of Karnataka v/s Ameerbi, (2007) 11 SCC 681.

2. It has been clearly held by the Hon'ble Apex Court in case of Ameerbi (supra) that this tribunal has no jurisdiction to hear the case pertaining to anganwari workers. We accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any petition related to any service dispute of the anganwari workers.

3. 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.



4. 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 be placed before the Hon'ble Bench for further orders.

5. Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Jammu on 17.12.2020.

(Rakesh Sagar Jain)
Member (J)

"Arun"