



**Central Administrative Tribunal
Jammu Bench, Jammu**

Hearing through video conferencing

T.A. No.61/4753/2020

This the 17th day of November, 2020

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

Hon'ble Mr. Mohd. Jamshed, Member (A)

Asif Iqbal Malik, age 29 years, S/o Mohammad Iqbal Malik, R/o Village Bhatali, Tehsil Thannamandi, District Rajouri.

.....Applicant

(Mr. Syed Nadeem Hamdani, Advocate)

Versus

1. State of J&K through Commissioner/Secretary, Home Department, Civil Secretariat, Srinagar/Jammu.
2. Director General of Police, Jammu/Srinagar.
3. Dy. Inspector General of Police, Rajouri Poonch Range, Rajouri.
4. Senior Superintendent of Police, Rajouri.

..... Respondents

(Mr. Amit Gupta, AAG)

ORDER (ORAL)

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

1. 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 both the learned counsel and learned A.A.G. has force and it is to be accepted. 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.

3. The Tribunal cannot assume jurisdiction in respect of any service matter pertaining 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.

4. In view of the submission made above, we are of the view that TA. deserves to be dismissed and accordingly TA is dismissed having no jurisdiction. Applicant is at liberty to approach appropriate forum, if he so advised. No order as to costs.

(Mohd. Jamshed)
Member (A)

(Rakesh Sagar Jain)
Member (J)

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