

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 61/4866/2020

This the 14th day of January, 2021

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)

Jai Pal Raina, age 60 years, S/o Sh. Dhani Ram, R/o H. No. 39, Lane
No. 1, Ekta Vihar, Gangyal, Jammu

.....Applicant

(Advocate: Mr. Anuj Dewan Raina, for Mr. Arun Kumar)

Versus

1. State of Jammu & Kashmir through Commissioner/Secretar
Department of Finance Government of Jammu & Kashmir Civil
Secretariat Srinagar and 4 ors.

.....Respondents

(Advocate: Mr. Suneel Malhotra for Accountant General)

ORDER

[O R A L]

(Delivered by Hon'ble Mr. Anand Mathur, Member-A)

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 Municipal Corporation, Jammu, this Tribunal cannot assume jurisdiction in respect of any service matter pertaining to Municipal Corporation, Jammu.





2. Contention of learned counsel for the applicant has force and it is to be accepted. Municipal Corporation, Jammu 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. 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 18.02.2021.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun