

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**T.A. No. 61/5316/2020**

This the 31<sup>st</sup> day of **March**, 2021



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

Mumtaz Choudhary w/o Sh. Anitullah, r/o Budhan, Tehsil Mahore (Thuroo) District Reasi.

.....Applicant

(Advocate:- Mr. Rahul Pant )

**Versus**

1. State of J & K through Commissioner/Secretary to Govt. Health Department, Civil Sectt., Jammu.
2. Mission Director National Health Mission, Nagrota, Jammu.
3. Chairman, District Health Society, National Health Mission, District Development Commissioner, Reasi.
4. Chief Medical Officer, Reasi, Vice Chairman, District Health Society, National Health Mission, Reasi.
5. Block Medical Officer, Mahore District Reasi.

...Respondents.

( By Advocate: Mr. Sudgesh Magotra).

**O R D E R [O R A L]**

**(Delivered by Hon'ble Mr. Rakesh Sagar Jain, Member-J)**

The present TA has been received by way of transfer from Hon'ble High Court of J&K at Jammu. It has been submitted by Mr. Sudgesh Magotra, learned counsel for respondent no.1 that the applicant was an engaged under the National Health Mission (Respondent no. 2 to 4). He further states that since National Health Mission has not been notified under Section 14 of the

Administrative Tribunals Act, 1985, as such, this Tribunal has no jurisdiction to entertain the present matter.



2. Contention of learned counsel for respondent no.1 has force and has to be accepted. The employees working under the National Health Mission have 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 Tribunals Act, 1985 and the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the National Health Mission under the Act. We accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any petition relating to any service dispute of the employees working under National Health Mission.

3. 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.

4. Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Jammu 23.4.2021.

**(ANAND MATHUR)**  
**MEMBER (A)**

**(RAKESH SAGAR JAIN)**  
**MEMBER (J)**

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