

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**T.A. No. 62/735/2021**

This the **09<sup>th</sup>** day of **April** 2021



**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)**  
**HON'BLE MR. TARUN SHRIDHAR, MEMBER (A)**

Zainul Abideen Rather, Aged about 60 years, S/o Ghulam Rasool Rather, R/o Karnah, District Kupwara, At present Umar Abad, Srinagar.

.....Applicant

(Advocate:- Mr. F.A. Wani)

**Versus**

1. Chief Secretary to Govt. UT of Jammu and Kashmir, Civil Secretariat Jammu/Srinagar.
2. Commissioner/Secretary to Govt. UT of J&K, Education Department, Civil Sectt. Jammu/Srinagar.
3. Director, School Education Department, Kashmir, Srinagar.
4. Principal, J&K Sainik School Mansbal, Bandipora, Kashmir.

.....Respondents

(Advocate: Mr. Amit Gupta, Id. AAG)

**ORDER [O R A L]**

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

It is submitted by both the parties that the case pertains to J&K Sainik School. As such, this Tribunal has no jurisdiction to hear the case. Contention of both the learned counsel for the parties has force and has to be accepted. The J& K Sainik School 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 and

the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the J& K Sainik School under the Act. We accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any case related to any service dispute in the matter of J& K Sainik School.



2. 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 place before the Hon'ble Bench for further orders.

3. Both the parties are directed to appear before the Registrar (Judicial), High Court of Jammu & Kashmir at Jammu on 11.05.2021.

**(TARUN SHRIDHAR)**  
**MEMBER (A)**

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

*JNS*