

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/5337/2020

This the 30th day of March, 2021

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

Dr. Nasir-ud-din Wani, aged 39 years, S/o Ghulam Mohi-ud-Din Wani, R/o
Hyderpora Srinagar and 19 ors.

.....Applicants

(Advocate:-Mr. Ishrat Younis)

Versus

1. Sher-i-Kashmir Institute of Medical Sciences through Director & Ex-Officio
Secretary to Govt. Srinagar and another

.....Respondents

(Advocate: Mr. Amit Gupta, learned A.A.G)

ORDER

[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 Srinagar. It has been submitted by the learned A.A.G. that since the respondent Sher-I-Kashmir Institute of Medical Sciences has not been brought within the jurisdiction of this Tribunal by a notification to be issued by the Central Government under Sec. 14 (2) of the Administrative Tribunal Act, 1985, the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the Sher-I-Kashmir Institute of Medical Sciences 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 Sher-I-Kashmir Institute of Medical Sciences.





2. 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.

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 Srinagar to place 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 Srinagar on 30.04.2021.

(ANAND MATHUR)
MEMBER (A)
Arun

(RAKESH SAGAR JAIN)
MEMBER (J)