

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/5351/2020

This the 31st day of **March**, 2021



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

1. Farooq Ahmad Sofi s/o late Mohd. Sabir Sofi, r/o Shar Khrew Pampore.
2. Ghulam Mohammad Lone s/o Ab. Rahim Lone, r/o Ladoo Batpora Pampore.

.....Applicants

(Advocate:- Mr. Nisar Ahmad)

Versus

1. State of J & K through Commissioner/Secretary to Govt. Industries & Commerce Department, Civil Sectt., Srinagar/Jammu.
2. Commissioner/Secretary to Govt. Finance Department, Civil Sectt., Jammu/Srinagar.
3. Managing Director Jammu & Kashmir Cements Ltd., Srinagar.
4. FA/CAO Jammu & Kashmir Cements Ltd., Zero Bridge, Srinagar.

...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 Srinagar. It has been submitted by Mr. Sudgesh Magotra, learned counsel for respondent no.1 that the



applicants were employees of Jammu & Kashmir Cements Ltd., Srinagar, (Respondent no.3 & 4). He further states that since J & K Cements Ltd., Srinagar, which 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. Jammu & Kashmir Cements Limited, Srinagar, 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 Tribunals Act, 1985 and the Tribunal cannot assume jurisdiction in respect of any service matter pertaining to the Institute, under the Act. We accordingly hold that this Tribunal is not vested with any jurisdiction to entertain any petition relating to any service dispute in the J & K Cements Limited, Srinagar.

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 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 Srinagar 23.4.2021.

(ANAND MATHUR)
MEMBER (A)

kks

(RAKESH SAGAR JAIN)
MEMBER (J)