

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

T.A. No. 62/7477/2020



This the 31st day of January, 2021

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

Mohammad Aaqib Dar s/o Latif Ahmad Dar, r/o Gratebal, Nawakadal, Srinagar.

.....Applicant

(Advocate: None)

Versus

1. State of J & K through Commissioner/Secretary to Govt. Housing & Urban Development Department, Civil Sectt., Srinagar/Jammu.
2. Superintending Engineer, Drainage Circle, Srinagar Municipal Corporation, Srinagar.
3. Commissioner Srinagar, Municipal Corporation, Srinagar.
4. Executive Engineer, City Drainage Mechanical Divisio, Srinagar Municipal Corporation, Srinagar.

(By Advocate : Mr. Sudesh Magotra).

.....Respondents

O R D E R [O R A L]

(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. Learned counsel for the respondents submits at the Bar that since the case pertains to Municipal Corporation, Srinagar, this Tribunal cannot assume jurisdiction in respect of any service matter pertaining to Municipal Corporation, Srinagar.

2. Contention of learned counsel for the respondents has force and it is to be accepted. Municipal Corporation 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.
3. Even the Hon'ble High Court of Jammu & Kashmir at Srinagar in CM No.950/2021 in SWP No.2332 of 2018 (The Employees of State Financial Corporation vs. Chief Secretary JK & Ors.) decided on 2.3.2021 has held the State Financial Corporation/Corporation is not amenable to the jurisdiction of Central Administrative Tribunal and the High Court has directed the Registrar of this Bench to transmit the record of the case for consideration and disposal.
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 Srinagar 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 Srinagar on 19.4.2021.

(ANAND MATHUR)
MEMBER (A)

KKS

(RAKESH SAGAR JAIN)
MEMBER (J)