

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

**M.A.No.574/2021 &
T.A. No. 62/1369/2021**

This the 30th day of March, 2021



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

1. Abdul Hamid Dar s/o Mohd. Ramzan Dar, r/o Nawa, Tehsil Devsar, Kulgam.
2. Abdul Rashid Shah, s/o late Abdul Majid Shah, r/o Babapora Qazigum Tehsil Devsar, District Kulgam.

.....Applicants

(Advocate:- Mr. Hamza Prince)

Versus

1. State of Jammu & Kashmir through Secretary to Haj & Auqaf Department, Civil Sectt., Srinagar/Jammu.
2. Dy. Commissioner, Kulgam.
3. Special Officer, Auqaf Jammu & Kashmir, Govt. Srinagar.
4. Tehsildar Devsar (Administrator Auqaf Islamia Rahim Sahib Bind Nawa Qazigund Kulgam).

.....Respondents

(Advocate: Mr. Sudesh Magotra, Deputy Advocate General)

O R D E R [O R A L]

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

It is submitted by Mr. Sudesh Magotra, D.A.G. appearing for respondents that the applicants were engaged as care taker of the Ziarat on every Thursday when the pilgrims visit the ziarat and for this, they are entitled to remuneration of Rs.2000/- on contingency

basis i.e. contingent paid worker (for short CPW) and it is not a civil post, as such, this Tribunal has no jurisdiction to hear the case.



2. Contention of learned D.A.G. has force and it is to be accepted. The post against the applicants were engaged is CPW and they are not holding civil post, as such, it does not fall under the jurisdiction of this Tribunal.
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 on 21.4.2021.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

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