

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 62/1308/2020

This the 23rd day of August 2021

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



1. Faizan Ahmad Wani, Aged 22 years, S/o Mohammad Shafi Wani, R/o Madar, Bandipora.
2. Sartaj Ahmad Wani, Aged 32 years, S/o Gh. Rasool Wani, R/o Adlashmagam, Sringufwara, Anantnag.
3. Shakeel Ahmad Khan, Aged 36 years, S/o Gh. Mohammad Khan, R/o Hassanwani, Inder, District Pulwama.
4. Aamir Amin Bhat, Aged 21 years, S/o Mohammad Amin Bhat, R/o Drusoo Jagir Rafiabad, Baramulla.
6. Bilal Ahmad Dar, Aged 21 years, S/o Habib Ullah Dar, R/o Trichal.
7. Yasir Bashir, Aged 24 years, S/o Bashir Ahmad Bhat, R/o Old Nishat, Srinagar.

.....Applicants

(Advocate:- Mr. M.A. Beigh)

Versus

1. Union Territory of Jammu and Kashmir through Chief Secretary to Govt. Civil Secretariat Srinagar/Jammu.
2. Commissioner Secretary to Govt. Health & Medical Education Department, Civil Secretariat, Srinagar/Jammu.
3. Commissioner Secretary to Govt. General Administration Department, Civil Secretariat, Srinagar/Jammu.
4. Director, Sher-i-Kashmir Institute of Medical Sciences Srinagar (Ex-Officio Secretary to Govt. Soura, Srinagar.

.....Respondents

(Advocate: Mr. Sudesh Magotra, learned D.A.G.)

ORDER

[O R A L]

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

Learned D.A.G. submits that the case pertains to Sher-i-Kashmir Institute of Medical Sciences and this Tribunal does not have the jurisdiction to adjudicate the matters pertaining the Sher-i-Kashmir Institute of Medical Sciences.



2. Contention of learned D.A.G. has force and it is to be accepted. Sher-i-Kashmir Institute of Medical Sciences 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.

3. 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.

4. In view of the submission made above, we are of the view that O.A. deserves to be dismissed and accordingly OA is dismissed for want of jurisdiction. Applicant is at liberty to approach appropriate forum, if he so desires. No order as to costs.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Arun...