

S. No. 101
(Video Conference)

HIGH COURT OF JAMMU AND KASHMIR
AT SRINAGAR

WP (C) no. 384/2020
CM no. 781/2020

Mohammad Ashraf Bhat and others

.... Petitioner(s)

Through: Mr S. A. Makroo, Advocate

V/s

Union Territory of JK and ors.

... Respondent(s)

Through: Mr Shah Aamir, AAG

CORAM:

Hon'ble Mr Justice Ali Mohammad Magrey, Judge

ORDER

31.08.2020

When this matter was taken up for consideration Mr S. A. Makroo, learned counsel for the petitioners, submitted that the matter has remained pending for adjudication and consideration for considerable amount of time, therefore, seeks direction in the name of respondents for according consideration to the case of petitioners.

Since the matter is required to be transferred to the Central Administrative Tribunal for decision in tune with the application of law, therefore, it would not be proper to pass any direction in the matter but keeping in view the submission qua pendency of the matter, it would be appropriate to direct the Central Administrative Tribunal, Jammu to expedite the decision in the case on merits. It is so ordered.

The grievance projected in this petition relates to the subject(s) covered by Section 14 of the Central Administrative Tribunals Act, 1985 (CAT Act). The jurisdiction to hear this petition as a Court of first instance, therefore, lies with the Central Administrative Tribunal (CAT) constituted under the provisions of the CAT Act.

Accordingly, in terms of Section 29 of the CAT Act, this case is transferred for further proceedings to the CAT, the Court of first instance, having its place of sitting at Srinagar notified vide Notification no. G.S.R. 317(E) dated 28.06.2020, issued by the Central Government under Section 5(7) of the CAT Act. However, since there is only one Bench of the CAT established so far which is presently holding its sitting at Jammu, the Registrar Judicial is directed to transmit the record of the petition to the CAT presently holding sittings at Jammu, retaining a soft copy thereof.

The parties are directed to appear before the Registrar, Central Administrative Tribunal (CAT), Jammu Bench on 1st October, 2020, for further proceedings.

Disposed of.

(Ali Mohammad Magrey)
Judge

Srinagar
31.08.2020
Amjad Lone PS