

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP (C) No. 463/2026

King Kumar & Anr.

.....Appellant(s)/Petitioner(s)

Through: Mr. Aatir Javed Kawoosa, Advocate

vs

UT of J&K & Ors.

..... Respondent(s)

Through:

CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER

25.02.2026

1. Impugned in this petition, filed under Article 226 of the Constitution of India is an order dated 09.02.2026, passed by the Central Administrative Tribunal, Jammu [for short “**the Tribunal**”] in OA No. 1039/2025, titled “*King Kumar Vs. Power Development Department*”, whereby the Tribunal has dismissed the petition on the ground that the same ought to have been filed before the Central Administrative Tribunal, Srinagar Bench.
2. Having heard learned counsel for the parties and regard being had to the nature of the controversy involved, we are of the view that the OA could have been filed in either of the wings, however, keeping in view the fact that the earlier petition was filed by the petitioners herein before the Srinagar Bench, it would be appropriate if the OA is heard and decided by the Srinagar Bench.
3. Learned counsel for the petitioners would fairly submit that he would not have challenged the impugned order had the case been at the

threshold and the pleadings not completed. He submits that since the case was slated for final consideration and therefore, if the OA is dismissed and the petitioners are called upon to file a fresh petition, it would put the petitioners to a serious prejudice as they will have to undergo the entire process yet again.

4. Be that as it may and having regard to the facts and circumstances of the case as also to serve the ends of justice, we are of the view that the judgment impugned deserves to be set aside and a direction issued to the Tribunal to transfer the records of the case to the Srinagar Wing of the Tribunal for its consideration on merits.

5. ***Ordered accordingly.***

6. Needless to say that having regard to the nature of controversy involved, the Srinagar Wing of the Tribunal shall make an endeavour to dispose of the matter at the earliest.

(Sanjay Parihar)
Judge

(Sanjeev Kumar)
Judge

Jammu
25.02.2026
Vishal Sharma