



HIGH COURT OF UTTARAKHAND AT NAINITAL
HON'BLE THE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA
AND
HON'BLE SRI JUSTICE SUBHASH UPADHYAY
27TH JULY, 2026
WRIT PETITION (S/B) NO. 459 OF 2026

Harish Suyal

.....Petitioner.

Versus

All India Institute of Medical Sciences & others

....Respondents.

Counsel for the Petitioner	:	Mr. M.S. Bhandari and Mr. Ashish Kumar Jemini, learned counsel.
Counsel for the Respondents	:	Mr. Manoj Kumar, learned Standing Counsel.

JUDGMENT : (per Mr. Manoj Kumar Gupta, C.J.)

1. The present writ petition has been filed with the following prayers:-

*"a) Issue a writ, order or direction in the nature of Mandamus directing the Respondents to offer the appointment to the petitioner against the 01- vacant post of "JUNIOR RECEPTION OFFICER" in pursuant to the Advertisement dated 28.02.2019 (**Annexure No.01, Page No.19 to 27 the writ petition**) and on the basis of the result dated 17.11.2023 (**Annexure No.05, Page No.34 to 37 the writ petition**), whereby the petitioner has been selected against the post of "JUNIOR RECEPTION OFFICER" in Unreserved Category.*

*b) Issue a writ, order or direction in the nature of Mandamus directing the Respondents to consider and decide the Representation of the Petitioner dated 09.02.2026 (**Annexure No.09, Page No.43 to 48 the writ petition**) within a stipulated period, in the light of the fact that another selection candidate Mr. Harsh Sharma has already been offered appointment vide appointment letter dated 27.03.2025."*

2. The petitioner is seeking appointment to the post



of Junior Reception Officer at AIIMS, Rishikesh.

3. Learned counsel for the respondents has placed for our perusal a notification dated 22nd June, 2017, issued by the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), in exercise of powers conferred by sub-section (2) of Section 14 of the Administrative Tribunals Act, 1985, whereby provisions of sub-section (3) of Section 14 have been made applicable to AIIMS, Rishikesh since 22.06.2017. On basis of the same, it is submitted that the dispute has to be raised before the Central Administrative Tribunal and this Court will have no jurisdiction in the matter.

4. Learned counsel for the respondents places reliance on the Constitution Bench judgment of the Supreme Court in ***“L. Chandra Kumar vs. Union of India & others”***, reported in **1997 (3) SCC 261**.

5. Learned counsel for the petitioner submits that the dispute would not fall under the purview of the Central Administrative Tribunal as the petitioner is still not in service of AIIMS Rishikesh.

6. However, the argument has no force as Section 14(3) of the Administrative Tribunals Act, 1985 specifically



extends the jurisdiction of the Central Administrative Tribunal to all matters in relation to recruitment, and matters concerning recruitment, to any service or post in connection with the affairs of such local or other authority or corporation or society. Thus, even disputes relating to selection and recruitment to any post in AIIMS, Rishikesh would fall within the ambit of the Central Administrative Tribunal.

7. Therefore, the writ petition is dismissed with liberty to the petitioner to approach the Central Administrative Tribunal, if so advised.

8. Pending application, if any, also stands disposed of.

MANOJ KUMAR GUPTA, C.J.

SUBHASH UPADHYAY, J.

Dated: 27th July, 2026

NISHANT

NISHANT KUMAR