

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9476 of 2014

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Manoj Kumar Yadav son of Late Bhagwan Singh resident of village + Post
- Kaura, P.S. Jagdishpur, District - Bhojpur

.... Petitioner

Versus

1. The Union of India through Ministry of Health and Family Welfare Government of India New Delhi
2. The Director General Indian Council of Medical Research V. Ramalinga Swami Bhawan, Ansari Nagar New Delhi - 29
3. The Administrative Officer Indian Council of Medical Research V. Ramalinga Swami Bhawan, Ansari Nagar New Delhi - 29
4. The Director, Regional Medical Research Centre For Tribals Nagpur Road P.O. Garha Jabalpur - 482003
5. The Administrative Officer Regional Medical Research Centre For Tribals Nagpur Road P.O. Garha Jabalpur - 482003

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Maya Shankar Mishra, Adv.

For the Respondent/s : Mr. Rajesh Kumar Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 18-05-2015 Heard learned counsel for the parties.

Having regard to the fact that the father of the petitioner was an employee of a body working under Indian Council of Medical Research (ICMR) and the ICMR is already a notified Corporation under the provisions of Administrative Tribunal Act, 1985, this Court will have no option but to uphold the preliminary objection as with regard to maintainability of the writ application, inasmuch as all service matters relating to Central Government and/or its notified Board/ Corporation have to be initially examined by the Central Administrative Tribunal.

When such an observation has been made learned counsel

for the petitioner seeks permission to withdraw this application in order to enable the petitioner to move the competent Bench of Central Administrative Tribunal.

As this writ application has remained pending before this Court from 12.6.2014, it is hereby clarified that if the petitioner moves before the Tribunal within a period of one month from today, the Tribunal instead of non-suiting the petitioner on the ground of delay/ limitation, if any, shall straightway decide the case of the petitioner on merits.

With the aforementioned observation and liberty, this application is permitted to be withdrawn.

surendra/-

(Mihir Kumar Jha, J)

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