

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH

MONDAY, THE SIXTEENTH DAY OF NOVEMBER TWO
THOUSAND AND FIFTEEN

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Present

HON’BLE SRI JUSTICE P.NAVEEN RAO

-
WRIT PETITION No.37131 of 2015

Between:

M. Abdul Hafeez Khalid,
S/o.M. Abdul Hameed,
R/o.H.No.32/431, Badibeed Street,
Kurnool-518 001,
Andhra Pradesh.

.. Petitioner

AND

Union of India,
Rep. by its Secretary (AYUSH),
Medical & Health Department,
New Delhi & 3 others

..
Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.37131 of 2015

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ORDER:

The petitioner is aggrieved by the manner in which selection process is initiated by the respondent Research Institute to recruit to the post of Compounder. In this writ petition, the petitioner challenges the notification issued on 28.10.2015 calling upon the persons to apply and participate in walk-in-interview for such selection to the post of Compounder on contract basis.

2. When the matter is taken up, learned Standing Counsel, on instructions, submits that the subject matter of the writ petition being a service matter of the Central Government organization, the jurisdiction of the same vests in the Central Administrative Tribunal constituted under the Administrative Tribunals Act, 1985, and the petitioner has to invoke the jurisdiction of the Central Administrative Tribunal and the writ petition is not maintainable.

3. With reference to the grievance regarding service matters of Central Government and Central Government organizations where specifically jurisdiction is vested in the Central Administrative Tribunal, the aggrieved person has to invoke the jurisdiction of the Central Administrative Tribunal under the Administrative Tribunals Act, 1985.

4. As held by Supreme Court in **L. Chandra Kumar Vs. Union of India and others**^[1], the Central Administrative Tribunal is the Court of first instance concerning all service matters of Central Government services including Central Government organizations/institutions where jurisdiction is specifically vested in the Central Administrative Tribunal and the aggrieved person has to invoke the jurisdiction of the Central Administrative Tribunal before invoking the jurisdiction of this Court. The jurisdiction of Central Administrative Tribunal includes matters concerning recruitment to the service. The said remedy is an effective and efficacious remedy. Hence, the writ petition is not maintainable since the petitioner has an effective and efficacious alternative remedy before the Central Administrative Tribunal.

5. Having regard to the same, the Writ Petition is dismissed leaving it open to the petitioner to work out his remedies as available in law. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 16th November, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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[\[1\]](#) AIR 1997 Supreme Court 1125