

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.24193 of 2015

Date of Decision:- 26.09.2016.

Om Parkash

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. S.K. Verma, Advocate for the petitioner.

Mr. Puneet Gupta, Senior Panel counsel for
respondent No.1-Union of India.

P.B. BAJANTHRI, J. (Oral)

The petitioner was appointed on *ad hoc* basis in the Central Sheep Breeding Farm, Hisar on 30.7.1979. His grievance is relating to regularization in the cadre of Lower Division Clerk. Earlier he had filed writ petition and the same was disposed of directing the respondents to consider the grievance of the petitioner for regularization. The respondents have considered and rejected the claim of the petitioner. Thus, once again the petitioner is before this Court. The grievance of the petitioner is for regularization against one of the post of Lower Division Clerk in the Department of Animal Husbandry and Dairying. In view of the Administrative Tribunal Act, 1985 service condition of the petitioner is to be agitated before the Central Administrative Tribunal which is the first

Court of instance having regard to the service conditions of the petitioner

read with Administrative Tribunal Act, 1985. Therefore, writ petition is not maintainable under Article 226 of the Constitution of India.

Accordingly, petition stands dismissed. However, dismissal of this petition would not come in the way of petitioner to approach the Central Administrative Tribunal. If the petitioner approaches the Central Administrative Tribunal, the Central Administrative Tribunal is requested to dispose of petitioner's application at the earliest in view of the fact that petitioner is already retired from service.

(P.B. BAJANTHRI)
JUDGE

September 26, 2016.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.