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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5568/2016 & CM No. 23163/2016**

SUNDER & ORS

..... Petitioner

Through: Mr Chirag Khurana and Mr. Yogendra
Kumar Verma, Advs.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Preet Singh and Ms. Kiran Kaushik,
Advs.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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24.08.2016

This petition seeks direction to respondent nos.1 and 2 to regularize the employment of petitioners who are stated to be effectively working for the Northern Railways, albeit through respondent no.3, who is a contract employer on behalf of Northern Railways, the Principal Employer.

The learned counsel for the petitioner submits that all rules and regulations applicable to the petitioners are issued by the respondent No.1.

The learned counsel for the respondents, upon instructions, states that the prayers sought in this petition directing respondent no.2 to grant regularization, is effectively against the Union of India, therefore, the petition would not be maintainable in this Court. Any grievance, that the petitioners may have, would be adjudicated before the Central Administrative Tribunal (CAT) under Section 14 of the Administrative Tribunal Act of 1985.

In view of the above, the learned counsel for the petitioners seeks to withdraw the petition to pursue remedies before the CAT.

The petition is dismissed as withdrawn. Liberty granted.

NAJMI WAZIRI, J

AUGUST 24, 2016^{/kk}