

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 557 of 2016 (O&M)
Decided on : 01.08.2017**

Raje Ram

. . . Petitioner

Versus

Union of India and others

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

PRESENT: Mr. Sailender Singh, Advocate
for the petitioner.

Mr. Vipul Aggarwal, Advocate
for respondent Nos. 1 to 4 - UOI.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, *inter alia*, challenging order dated 21st April, 2014 (Annexure P-2), whereby, the petitioner has been promoted to the post of Inspector of Income Tax in the year 2005-06 instead of 2001-02, when the person junior to the him was promoted. It has been claimed that the same has been done in violation of the Tribunal's order dated 20th December, 2013 (Annexure P-1) and in view of the decision rendered in CWP No. 13218 of 2009, titled as, “Lachhmi Narayan Gupta and others Vs. Jarnail Singh and others”, decided on 15th July, 2011.

2. It was urged that the primary challenge is to Annexure P-2, which has been passed by the respondent. It was also not disputed that the petitioner has approached this Court without first invoking the jurisdiction of the Central Administrative Tribunal (in short 'the CAT') under the Administrative Tribunals Act, 1985. Accordingly, learned counsel for the petitioner prays that he may be allowed to withdraw the present writ petition

with liberty to approach the CAT at the first instance by way of filing the Original Application along with an application for condonation of delay.

3. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies as may be available to him, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

August 01, 2017

J.Ram

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No