

\$~11

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

+ W.P.(C) 5281/2017

DIVYANK CHAUHAN

..... Petitioner

Through: Mr.Jayant K.Sud, Sr.Adv. with
Mr.Vineet Sinha, Ms.Minakshi Jyoti,
Mr. Honey Khanna and Ms. Vaishali
Soni, Advs.

versus

UNION OF INDIA

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

%

14.06.2017

C.M.No.22389/2017

Allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 5281/2017 & C.M.Nos.22388/2017, 22390/2017

1. Learned Senior Counsel appearing for the petitioner acknowledges that the Defence Research Development Organisation (DRDO) is an organisation notified under the Administrative Tribunal Act, 1985.
2. In view thereof this Court cannot entertain the present writ petition as a Court of first instance, as held by the Hon'ble Supreme Court in ***L.Chandra Kumar vs. Union of India*** (1997) 3 SCC 261.
3. Accordingly, the present writ petition is permitted to be withdrawn with liberty to move the Tribunal by way of an Original Application.
4. The petitioner is also granted liberty to seek expeditious disposal of the Original Application before the Tribunal. The writ petition is disposed

of in the above terms.

5. Copy of the order be given *dasti* under the signature of the Court Master.

C.HARI SHANKAR, J

JUNE 14, 2017

mr