

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.26842 OF 2018

Dated:02.08.2018

Between:

M/ Rajesham, S/o. Nagula Gangamallaiah,
Caste: Goud, Aged about 40 years,
Occ: Ex-serviceman, R/o.H.No.9-9-70/1,
Ram Nagar, Karimnagar, Telangana State .. Petitioner

And

The Union of India, rep., by its Secretary,
Ministry of Health & Family Welfare
Department, New Delhi and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.26842 OF 2018****ORDER:**

Heard.

2. Petitioner claims to be an Ex-serviceman. Grievance of the petitioner is that in the Recruitment Notification No.1/2018-19, dated 18.04.2018, issued by the Central Government for filling up the posts of Pharmacists (Allopathy & Ayush) under Central Government Health Scheme, Hyderabad, no reservation is provided to Ex-servicemen and the same is illegal and contrary to the Central Government Health Scheme Organization Pharmacist (Allopathic) Recruitment Rules, 2015.

3. A reading of the prayer itself would show that petitioner is seeking employment in Central Government by applying the reservation principle in favour of Ex-servicemen. If that being so, the petitioner has to avail the remedy before the Central Administrative Tribunal (CAT) constituted under the Administrative Tribunals Act, 1985 (for short, 'the Act'). As held by the Supreme Court in ***L. Chandra Kumar v. Union of India***¹, the CAT is the Court of first instance to adjudicate service disputes and an aggrieved employee cannot directly invoke the jurisdiction of this Court.

4. The Writ Petition is accordingly dismissed granting liberty to the petitioner to avail appropriate remedy available under the Act. There shall be no order as to costs.

¹ AIR 1997 SC 1125

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:02.08.2018

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