

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

Date of Order: February 07, 2018

+ W.P.(C) 1150/2018

KUNWAR PAL SINGH & ANR. Petitioners

Through: Ms. Kusum Lata Sharma,
Mr. Karanveer Sharma & Mr. Aman Sharma,
Advocates with petitioner No.1 in person

Versus

EAST DELHI MUNICIPAL CORPORATION (HQ) & ORS.

..... Respondents

Through: Mr. Kumar Rajesh Singh, Standing
Counsel for EDMC & Ms. Punam Singh,
Advocate for respondent No.1
Mr. Naushad Ahmed Khan, Addl. Standing
Counsel (Civil) for GNCTD & Mr. Zahid
Hanief, Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

ORAL

1. In this petition, release of salary due since October, 2017 is sought by petitioners, who claim that they are working in East Delhi Municipal Corporation School, Mandoli, Delhi and East Delhi Municipal Corporation School, Nand Vihar, Janta Flats, Delhi, functioning under first respondent. It is submitted that *Nagar Nigam Shikshak Sangh & Ors.* have filed O.A. No.4717/2015 against first respondent for payment of salary before the Central Administrative Tribunal and despite directions

of 29th December, 2015, disbursement of salary has not been made and so, petitioners are constrained to approach this Court.

2. If it is so, then the remedy under the *Contempt of Courts (C.A.T.) Rules, 1992* can be availed of. It gives no cause to petitioners to approach this Court, as the jurisdiction lies with the Central Administrative Tribunal for redressal of the grievance made by petitioners in this petition. It is evident from Section 14 of *The Administrative Tribunals Act, 1985* that all service matters pertaining to service in connection with affairs of authority controlled by State Government or any local or other authority or any corporation or other body at the disposal of State Government, are required to be dealt with by the Central Administrative Tribunal. Since the jurisdiction to seek reinstatement of petitioner lies with the Central Administrative Tribunal, therefore, petitioner ought to avail of the remedies by approaching Central Administrative Tribunal, New Delhi.

3. In view of aforesaid, this petition and application are disposed of with liberty to petitioner to approach Central Administrative Tribunal for relief claimed in this petition.

Dasti.

(SUNIL GAUR)
JUDGE

FEBRUARY 07, 2018

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