

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

Date of Order: May 29, 2018

+ **W.P.(C) 5999/2018 & CM Nos. 23374-75/2018**

NINIKA DHAWAN

..... Petitioner

Through: Mr. Jayant Mehta, Ms. Shruti Iyer,
Mr. Ananda K and Mr.Subhankar,
Advocates

versus

UNION OF INDIA & ANR

.....Respondents

Through: Mr. Rakesh Kumar, CGSC for R-1
Mr. Naresh Kaushik, Mr. Omung
Gupta, Mr. Devik Singh and Mr.
Naman Maheshwari, Advocates
For R-2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

Petitioner had appeared for Civil Services Examination, 2017 and according to her, as per the results declared, she had secured 1027 marks and had got *All India Rank - 264* but was shocked to discover that she had been awarded 15 penalty marks.

Aggrieved by deduction of penalty marks, this writ petition has been filed. At the outset, learned counsel for respondent questions the maintainability of this petition by relying upon Section 14 (1)(a) of *the Administrative Tribunals Act, 1985* to submit that all the matters concerning the recruitment to any All India Service have to be considered by the Central Administrative Tribunals.

To controvert it, petitioner's counsel draws the attention of this Court to the definition of service matters as provided in Section 3 of the aforesaid enactment.

Upon hearing both the sides on maintainability aspect, I find that afore-mentioned Section 14 (1)(a) categorically mandates that all the matters concerning All India service have to be dealt by the Central Administrative Tribunals.

In view of the urgency involved in this petition, it be transmitted to Registrar of Central Administrative Tribunal, New Delhi through a special messenger for being placed before the Bench on 31st May, 2018 for urgent hearing. It is expected that this matter would be heard on the same day.

Copy of this order be given *dasti* under signatures of the Court Master to learned counsel for petitioner.

(SUNIL GAUR)
JUDGE

MAY 29, 2018

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