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

Date of decision: 1st October, 2018

+ W.P.(C) 10370/2018 & CM Nos.40403-40404/2018

GULAB SINGH AND ANR. Petitioners

Through: Mr. Yogesh Sharma, Adv.

versus

UNION OF INDIA AND ORS. Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER (ORAL)

% **01.10.2018**

1. The relief in this case is for grant of compensatory employment, which has to be granted, if at all, by the respondent no.1.
2. The matter, therefore, lies within the jurisdiction of the Central Administrative Tribunal, Principal Bench.
3. In view of the proscription contained in para 93 of the judgment of the Supreme Court in *L. Chandra Kumar v. Union of India, 1997 (3) SCC 261*, it is not possible for this Court to entertain this writ petition as a Court of first instance.
4. The petitioner seeks leave to withdraw this writ petition with liberty to move an appropriate application before the Central Administrative Tribunal, Principal Bench.
5. Leave and liberty, as prayed for, is granted.

6. The writ petition is dismissed as withdrawn.

C.HARI SHANKAR, J

OCTOBER 01, 2018

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