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

Date of decision: 8th October, 2018

+ W.P.(C) 10708/2018 & CM APPLs. 41719/2018 (*stay*),
41720/2018 (*exemption*), 41721/2018(*maintainability*)

RAVINDER SINGH Petitioner
Through: Mr. Abhishek Choudhary, Adv.

versus

MANAGING DIRECTOR DELHI TRANSPORT
CORPORATION & ORS Respondents
Through: Ms. Palak Rohmetra, Adv. with
Mr. N.K.Singh, Adv. for
Ms.Avnish Ahlawat, Standing
Counsel for GNCTD

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER (ORAL)

08.10.2018

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1. This writ petition purports to have been filed pursuant to the liberty granted by me in my order dated 11th September, 2018.

2. The said order was passed on an application i.e. CM No.37076/2018, which was filed in W.P.(C) 1551/2016. I had observed, in my order, that the relief prayed for, in the writ petition, constituted a distinct cause of action and would have to be ventilated by way of fresh proceedings.

3. While granting liberty to the said effect, I had noted the prayer, of learned counsel for the petitioner, to withdraw the application to

move a substantive writ petition.

4. Learned counsel for the petitioner seeks to capitalise on the words “writ petition” in the said order.

5. It is obvious that this Court has no jurisdiction to entertain this matter, in view of the proscription contained in para 93 of the judgment of the Supreme Court in *L. Chandra Kumar v. U.O.I (1997) 3 SCC 261* which bars this court from exercising jurisdiction, as a court of first instance, in causes which are amenable to the jurisdiction of the Central Administrative Tribunal.

6. Mr. Abhishek Choudhary, appearing for the petitioner, seeks, at this stage, to withdraw this writ petition with liberty to move the Central Administrative Tribunal, Principal Bench, Delhi by way of appropriate proceedings.

7. Leave and liberty as prayed for is granted. The writ petition is dismissed as withdrawn.

C.HARI SHANKAR, J.

OCTOBER 08, 2018

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