

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 867 of 2020**

- Sudhir Kumar Khuntia S/o Murlidhar Khuntia Aged About 29 Years R/o A/I, Das Duggle Complex, Shastri Nagar , Supela, Bhilai, District Durg Chhattisgarh

---- Petitioner**Versus**

1. Union Of India Through Secretary Department Of Health And Family Welfare , New Delhi
2. Deputy Director (Administration) All India Medical Science, Patna, Bihar

---- Respondents

For Petitioner : Shri Rahil Arun Kochar, Advocate

For Respondents/UOI : Ms. Purnima Singh, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****11/02/2020**

1. Heard.
2. Challenge in the present writ petition is to the number of seats allocated for female and male in AIIMS, Patna.
3. It is contended that the advertisement for the above Institute was published in the internet which has the access from all the corners, therefore, the cause of action was partly arose in this state too. Learned counsel for the petitioner placed his reliance in the case of ***Apartim Mukherjee Vs. State of Bank of India & ors. {WP No.7480 (W) of 2019}*** and ***Walter Alfred Baid Versus Union of India and others {1976 SCC OnLine Del 26}*** and would submit that

under the circumstances there is a discrimination as post for the male is too less.

4. Learned counsel for the Union of India would submit that as per the notification dated 22nd of June, 2017 the AIIMS is notified under Section 14 of the Administrative Tribunals Act, 1985 (for short 'the Act, 1985'), therefore, the Central Administration Tribunal would have the jurisdiction.
5. Since the notification is passed under Section 14 of the Act, 1985 and the matter is concerning the recruitment, consequently, since the statutory remedy is provided to approach the Central Administrative Tribunal under the Act, 1985, I am not inclined to exercise the power vested under Article 226 of the Constitution of India.
6. Accordingly, the petition is dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu