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

+ W.P.(C) 3226/2020 & CM APPL. 11235/2020

DR. AVINASH KUMAR Petitioner
Through: Ms. Payal Bahl, Advocate.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI AND OTHERS Respondents
Through: Ms. Avnish Ahlawat, Standing
Counsel, GNCTD.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
22.05.2020

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Hearing has been conducted through Video Conferencing.

Petitioner in the present petition is a Doctor employed as Grade-I, Senior Medical Specialist at Deep Chand Bandhu Hospital which falls under the aegis and jurisdiction of the Government of National Capital Territory of Delhi. The challenge in the present petition is to an order passed by the Inquiry Officer in disciplinary proceedings pending against the petitioner under the CCS (CCA) Rules, 1965.

The jurisdiction to decide the present challenge in view of Section 14 read with Section 3(q) of the Administrative Tribunals Act, 1985 would lie with the Central Administrative Tribunal, Principal Bench. Supreme Court in the case of *L. Chandra Kumar v. Union of India and Others*, (1997) 3 SCC 261 has clearly held that the Central Administrative Tribunals will be

the court of first instance for service matters and the High Court can be approached only by way of Writ Petitions, against the orders of the Tribunals.

Faced with this, learned counsel for the Petitioner candidly and fairly seeks to withdraw the Petition, and seeks liberty to approach the Central Administrative Tribunal.

The writ petition is accordingly disposed of as withdrawn with the liberty aforesaid.

JYOTI SINGH, J

MAY 22, 2020

srb/