

\$~A-4

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

+ W.P. (C) 3432/2020, CM Nos. 12176/2020, 12177/2020

DINESH CHANDRA MISHRA ..... Petitioner  
Through Petitioner in Person.

Versus

ICAR AND ORS. .... Respondents  
Through Mr. Gagan Mathur, Advocate.

**CORAM:**  
**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**

%

**10.06.2020**

Hearing has been conducted through Video Conferencing.

Present Petition has been filed by the Petitioner challenging his transfer order dated 26.09.2018.

Mr. Gagan Mathur, Advocate, appearing for the Respondents, on advance notice, raises a preliminary objection to the jurisdiction of this Court to entertain the present petition. He submits that jurisdiction to deal with service matters pertaining to the employees of ICAR lies with Central Administrative Tribunal.

This Court finds merit in the contention of the learned counsel for the Respondents. Service matters of employees pertaining to the Departments which have been notified under Appendix-VI to Rule 154(b) of the Administrative Tribunal Act, 1985 can be adjudicated only by the Central Administrative Tribunal. This is clear from a bare reading of Section 14 of the Administrative Tribunal Act, 1985 and the judgment of Constitutional

Bench in *L. Chandra Kumar v. Union of India*, (1997) 3 SCC 261. Therefore, this Court does not have the jurisdiction to entertain the present petition.

Faced with this, Mr. Mishra fairly and candidly seeks leave to withdraw the Petition with liberty to approach the Central Administrative Tribunal.

Petition is accordingly disposed of with the aforesaid liberty.

All pending Applications are also disposed of.

**JYOTI SINGH, J**

**JUNE 10, 2020/yo/**