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

+ W.P.(C) 3834/2020 & CM 13733/2020

PANKAJ

.... Petitioner

Through: Mr. Roshan Lal Goyal, Advocate

versus

GOVT. OF NCT OF DELHI

.... Respondent

Through: Ms. Avnish Ahlawat, Standing
Counsel for GNCTD with Mr. Nitesh
Kumar Singh, Advocates

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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06.07.2020

Hearing has been conducted through Video Conferencing.

Present Petition lays a challenge to rejection of the candidature of the petitioner for the post of 'Nursing Officer', in the Health and Family Welfare Department in Government of NCT of Delhi, for which Recruitment was made through Delhi Subordinate Services Selection Board (DSSSB).

The concerned Department, under GNCTD, is notified under the Central Administrative Tribunal Practice Rules, 1993. In view of Section 14 (1) read with Section 3(q) of the Administrative Tribunals Act, 1985, this Court has no jurisdiction to entertain the present Petition. Central Administrative Tribunal will have the jurisdiction to entertain 'service matters', in the first instance, with respect to the Ministries / Departments notified under Rule 154(b) of the Administrative Tribunal Rules of Practice, 1993. This has been clearly held by the Supreme Court in the case of *L. Chandra Kumar v. Union of India and Others*, [(1997) 3 SCC 261]. It was further held that High Courts will have the power of Judicial Review under

Articles 226 and 227 of the Constitution of India over the orders passed by the Tribunals.

At this stage, Mr. Goyal seeks to withdraw the present Petition, with liberty to approach the Central Administrative Tribunal.

Present Petition, along with accompanying Application is accordingly disposed of, granting the liberty, as prayed.

JYOTI SINGH, J

JULY 06, 2020/rd