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

\+ W.P. (C) 3999/2020

MONIKA CHAUDHARY ..... Petitioner

Through Mr. Rajat Sharma and Ms. Sonakshi Singh, Advocates.

Versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI & ANR. ..... Respondents

Through Mrs. Avnish Ahlawat, Standing Counsel GNCTD with Mr. Nitesh Kumar, Ms. Palak Rohmetra, Advocates.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

O R D E R

% **07.07.2020**

Hearing has been conducted through Video Conferencing.

C.M. No. 14350/2020 (Exemption from filing certified and typed copies of annexures), C.M. No. 14351/2020 (Exemption from filing Court Fee), C.M. No. 14352/2020 (Exemption from filing notarized affidavit)

The Applications are disposed of with a direction to the Applicant to file the certified and true copies, notarized affidavits and court fee within 72 hours from the date of resumption of regular functioning of this Court.

Applications stand disposed of.

W.P. (C) 3999/2020

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. Rajat Sharma seeks to withdraw the present Petition, with liberty to approach the Central Administrative Tribunal.

Present Petition is accordingly disposed of, granting the liberty, as prayed.

JYOTI SINGH, J

JULY 07, 2020/yo