

\$~A-4

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

+ W.P. (C) 4006/2020

HEENA DOBHAL

..... Petitioner

Through Ms. Samridhi Arora and Mr.
Himanshu Bhushan, Advocates.

versus

UNION OF INDIA & ANR.

..... Respondents

Through Mr. Jagjit Singh, Sr. Counsel for
Railways.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
08.07.2020

%

Hearing has been conducted through Video Conferencing.

CM No. 14394/2020 (Exemption from filing true typed copies of dim annexures)

In view of the reasons stated in the Application, the same is disposed of with a direction to the Applicant to file the true typed copies of dim annexures within 72 hours from the date of resumption of regular functioning of the Court.

Application stands disposed of.

W.P. (C) 4006/2020

By way of present Petition, Petitioner, who is a Doctor with the Northern Railways, lays a challenge to the Transfer Order dated 02.03.2020.

Railways 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, Ms. Samridhi Arora 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 08, 2020/yo