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

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Date of decision: 28.07.2020

+ W.P.(C) 4563/2020

DINESH KUMAR

..... Petitioner

Through: Mr. Hemant Kumar, Advocate

versus

SPECIAL COMMISSIONER OF POLICE
(TRAINING) & ORS.

..... Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

1. Hearing has been conducted through Video Conferencing.
2. Petitioner, who is serving as an Inspector (Executive) of the Delhi Police, has filed the present petition assailing an Order whereby his Representation dated 15.06.2020 has been rejected by Respondent No. 1 vide order dated 07.07.2020. Petitioner in his Representation has assailed the appointment of the Inquiry Officer in the disciplinary proceedings initiated against him.
3. Subject matter of the present petition is a service matter and the Petitioner is member of the Delhi Police and thus amenable to the jurisdiction of the Central Administrative Tribunal.

4. This Court has no jurisdiction to deal with the present petition in light of Section 14(1) read with Section 3(q) of the Administrative Tribunals Act, 1985.

5. Central Administrative Tribunal has the jurisdiction to entertain 'service matters', in the first instance, with respect to the Ministries / Departments covered under the Act/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.

6. At this stage, Mr. Hemant Kumar, learned Counsel for the Petitioner seeks to withdraw the petition with liberty to approach the Central Administrative Tribunal.

7. Petition is accordingly disposed of as withdrawn with liberty as prayed.

JYOTI SINGH, J

JULY 28, 2020/rd