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

+ W.P. (C) 5333/2020 and CM Nos.19256-19258/2020

JANARDAN PRASAD & ORS. Petitioners
Through Mr. Animesh Kumar and Mr. Ravi
Kumar Singh, Advocates

versus

UNION OF INDIA Respondent
Through Mr. Vikrant N. Goyal and Ms.
Priyanka Arora, Advocates

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **18.08.2020**

Hearing has been conducted through Video Conferencing.

By way of the present petition, Petitioners impugn a letter dated 20.03.2020 by which the Respondent has refused to give grace marks to the Petitioners. Petitioners being employees of Controller General of Accounts, Department of Expenditure, Ministry of Finance, are amenable to the jurisdiction of the Central Administrative Tribunal.

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 has 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. Animesh Kumar learned counsel for the Petitioners seeks to withdraw the present Petition, with liberty to approach the Central Administrative Tribunal.

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

JYOTI SINGH, J

AUGUST 18, 2020

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