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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11726 of 2021

Smt. Subhra Biswas
Vs.
Union of India & Ors.

Mr. Dhiman Ray,
Mr. Dip Chanda
... For the petitioner.

Mr. Mrinal Kanti Mukherjee,
Ms. Soma Chakraborty
... For the respondents.

Affidavit of service filed in Court today is taken on record.

The petitioner is working in All India Institute of Hygiene and Public Health as Lower Division Clerk. The petitioner is, as such, a Central Government Employee. The petitioner is, inter alia, challenging an office order dated 3rd October, 2019, issued by the Additional Director of All India Institute of Hygiene and Public Health. The said office order also clearly shows All India Institute of Hygiene and Public Health is functioning under the Ministry of Health and Family Welfare of the Government of India. The petitioner therefor has to ventilate her grievances before the Central Administrative Tribunal (in short, CAT) constituted under the Central Administrative Tribunal Act, 1985. The writ petition has been filed on 20th July, 2021. The time period between 20th July, 2021

and this day i.e. 23rd August, 2021 shall be construed to be the time spent by the petitioner in prosecuting the matter before a Court without jurisdiction.

I have not gone into the merits of the matter. The petitioner if approaches the CAT, the said tribunal shall decide the matter on merits without being influenced in any manner whatsoever by the instant order.

The writ petition is accordingly disposed of.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon compliance with the necessary formalities.

(Arindam Mukherjee, J.)