

**CM-3012-CWP-2022 IN/AND
CWP-18599-2021
Date of Decision: 02.09.2022**

Versus

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Mr. Mukesh Kumar, Advocate, for
Mr. Barjesh Mittal, Advocate,
for the respondents.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to release the arrears of pay and allowances to the petitioner for the period of termination, i.e. from 03.12.2018 till 31.12.2020; as also to release the arrears of pay and allowances to the petitioner for the period of suspension, i.e from 10.08.2018 till 08.11.2018.

Learned counsel for the respondents has submitted that the issue involved in the present petition is within the jurisdiction of the Central Administrative Tribunal, Chandigarh Bench. Therefore, the petitioner is required to approach the Central Administrative Tribunal, Chandigarh Bench, in the first instance.

In view of the above, the present petition is dismissed with

liberty to the petitioner to approach the Central Administrative Tribunal, Chandigarh Bench, for the same cause of action, but in accordance with law.

However, it is clarified that if the petitioner approaches the Central Administrative Tribunal, Chandigarh Bench, within a period of six weeks from today, then any limitation in approaching the said Tribunal shall be deemed to have been condoned and the Tribunal shall proceed to decide the matter, on merits.

(RAJBIR SEHRAWAT)
JUDGE

02.09.2022
adhikari

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No