

16.04.2024.
Court No. 13
Item No. 9
sp

W.P.A. No. 8797 of 2024

**Prahelika Kar
Versus
Union of India & Ors.**

Ms. Prahelika Kar.
... petitioner-in-person.
Mr. Gourango Kumar Das,
Ms. Jayita Dhar Chakraborty.
...For the Union of India.

1. Learned counsel for the Department of Post has placed Annexure VI under Rule 154 (b) of the Central Administrative Tribunal Rules and Practice, 1994 issued under the provisions of the Administrative Tribunals Act, 1985.
2. The substance of the cause of action of the petitioner is against the Department of Post. Hence, this Court does not have jurisdiction to entertain the writ petition directly for availability of effective alternative remedy.
3. It would also be relevant to refer to paragraph 99 of the decision of the Hon'ble Supreme Court in the Case of ***L Chandra Kumar Vs. Union of India*** reported in ***(1997) 3 SCC 261*** which has mandated that persons holding civil posts to first invoke the jurisdiction of the Tribunal under the Administrative Tribunals Act, 1985 and then approach the High Court against any grievance in respect of orders passed by the Tribunal.

4. The writ petitioner shall be permitted to approach the Central Administrative Tribunal, within a period of 45 days from date, notwithstanding dismissal of O.A. 1132 of 2022.

5. With the aforesaid observations, the instant writ petition shall stand disposed of.

6. There will be no order as to costs.

7. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)