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

+ **W.P.(C) 10267/2024 & CM APPL. Nos. 42075/2024 and 42076/2024**

VANDANA NAGAR

.....Petitioner

Through: Ms. Nitya Sharma, Mr. Amulya Ratiar, Mr. Yashdeep Sethi and Mr. Sandeep Choudhary, Advocates.

versus

**GOVT. OF NCT OF DELHI THROUGH DEPARTMENT OF
EDUCATION & ANR.**

.....Respondents

Through: Mrs. Avnish Ahlawat, Standing Counsel with Mr. Nitesh Kumar Singh, Ms. Laavanya Kaushik, Ms. Aliza Alam and Mr. Mohnish Sehrawat, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

26.07.2024

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1. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

“i) Allow this writ petition;

ii) Direct the respondents provide/give the job/post of Domestic Science Teacher via Post code 88/20 by given her joining letter,

iii) Pass such other and further order/orders as this Hon'ble Court may dim fit and proper in the interest of justice.”

2. Present writ petition relates to appointment to the post of Domestic Science Teacher notified by Delhi Subordinate Services Selection Board (DSSSB), Government of NCT of Delhi vide Advertisement No.04/2020 against which the Petitioner applied but her candidature was rejected with



remark ‘OBC Certificate issued on the basis of brother showing Caste notified in UP and not qualified in UR as per Merit’. The grievance of the Petitioner can only be entertained at this stage by the Central Administrative Tribunal as a Court of first instance in view of the judgment of the Constitution Bench of the Supreme Court in *L. Chandra Kumar v. Union of India and Others, (1997) 3 SCC 261*.

3. At this stage, learned counsel for the Petitioner, on instructions, seeks to withdraw the petition with liberty to approach the Central Administrative Tribunal.

4. Writ Petition is accordingly disposed of as withdrawn, with liberty as prayed for, in accordance with law. Pending applications also stand disposed of.

JYOTI SINGH, J

JULY 26, 2024/shivam