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

+ **W.P.(C) 10812/2024**

MOHIT

.....Petitioner

Through: **Mr. Amit Kumar Kakkar, Advocate**

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: **Mr. Niraj Kumar, Senior Central Government Counsel with Mr. Amit Acharaya, Government Pleader and Mr. Chaitanya Kumar, Advocates for UOI.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

05.08.2024

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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:

“(a) To pass a Writ in the nature of Certiorari for setting aside the debaring order dated 03.07.2024 in respect of the Petitioner.

(b) To Pass a Writ in the nature of Mandamus directing the Respondents to conduct an inquiry to ascertain the fact of the appearance of petitioner in examination, respondents may compare the petitioner in person and CCTV footage of the petitioner.

(c) To Pass a Writ in the nature of Mandamus directing the Respondents to consider and grant the Petitioner position of Multi-tasking staff (Non-technical).”

2. It is evident from the reliefs sought by the Petitioner that the reliefs are claimed against Department of Personnel and Training and Staff Selection Commission respectively and the disputes relate to ‘service matters’. Thus, by virtue of Section 14 of the Administrative Tribunals Act,

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1985 and 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, the Central Administrative Tribunal will have the jurisdiction to decide the issues as a Court of first instance.

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 Writ Petition is accordingly disposed of as withdrawn, with liberty as prayed for, in accordance with law.

JYOTI SINGH, J

AUGUST 05, 2024/kks