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

+ **W.P.(C) 10894/2024 & CM APPL. 44909/2024**

SMT. SUSHMA

.....Petitioner

Through: Mr. Vijay Kinger, Mr. Ashwani
Gehlot and Ms. Roopa Nagpal, Advocates.

versus

DELHI METRO RAIL CORPORATION LTD.Respondent

Through: Mr. V.S.R. Krishna, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

07.08.2024

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1. This petition has been preferred on behalf of the Petitioner seeking the following relief:

“a. issue a writ of mandamus or a writ in the nature of certiorari or any other appropriate writ, order or direction to the respondents/authorities to consider the case of the Petitioner for appointment of her son namely Sh. Mayank Kumar S/o Late Sh. Kiran Lal on the compassionate ground as per the Point No. 12.0 of the Respondent's Modified Policy dated 25.10.2021 vide Letter No. DMRC/PERS/69/2021 under Circular No. 64/2021 on Compassionate Appointment in DMRCor as per the provision of up to date policy of Respondent on Compassionate Appointment in DMRC in the interest of justice.”

2. In view of the relief claimed in the present petition and considering that the Respondent/Delhi Metro Rail Corporation Limited (DMRC) is notified under Section 14 of the Administrative Tribunals Act, 1985, remedy of the Petitioner lies before the Central Administrative Tribunal as a Court of first instance as per the binding dictum of the Supreme Court in the judgment in ***L. Chandra Kumar v. Union of India and Others, (1997) 3***



SCC 261.

3. Accordingly, this petition is dismissed along with the application, with liberty to the Petitioner to approach the appropriate Forum, in accordance with law.

JYOTI SINGH, J

AUGUST 7, 2024
B.S. Rohella/kks