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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 236/2024, CM APPL. No. 1059/2024 and 18902/2024**

SACHIN KUMAR

.....Petitioner

Through: Ms.Sriparna Chatterjee, Advocate.

versus

STAFF SELECTION COMMISSION AND ANRRespondents

Through: Mr.S.A.Haseeb, CGSC with Mr.Hilal Haider,GP

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

28.08.2024

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1. By way of this petition, the Petitioner seeks setting aside of the impugned offer of appointment dated 22.11.2023 to the extent, Respondent No.2 has directed the Petitioner to report to Shillong despite having been allocated the State Code-20 (NCT of Delhi).

2. This petition raises disputes which are in the nature of service matters against Respondents No.1 and 2 both of which are notified under Section 14 of the Administrative Tribunals Act, 1985. Therefore, in view of Section 14 of the said Act and the judgment of the Constitutional Bench in ***L. Chandra Kumar v. Union of India and Others, (1997) 3 SCC 261***, the Central Administrative Tribunal will be the only Court of first instance for adjudicating the issues raised by the Petitioner.

3. Ordinarily, this Court would have allowed the Petitioner to withdraw the petition to approach the Tribunal afresh, however, considering that there

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is an interim order in favour of the Petitioner since 08.01.2024, this Court deems it appropriate to transfer this writ petition before the Central Administrative Tribunal for further hearing.

4. Accordingly, this writ petition is transferred to the Central Administrative Tribunal, where it shall be listed before the learned Registrar on 03.10.2024. The Registry is directed to transmit the entire record of the writ petition to the Tribunal.

5. Insofar as the interim order is concerned, it shall continue till the Tribunal takes up the matter for hearing, whereafter it will be open to the Tribunal to continue/vacate/vary or modify the order as deemed fit.

6. Any other pleadings or documents that the parties wish to file, will be filed on with the permission of the Tribunal.

JYOTI SINGH, J

AUGUST 28, 2024

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