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

+ **W.P.(C) 13917/2024**

SHRI PRASHANT

.....Petitioner

Through: Ms. Shama, Advocate.

versus

**UNION OF INDIA THROUGH CHIEF SECRETARY OF POST
OFFICE & ORS.**

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

03.10.2024

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CM APPL. 58255/2024

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 13917/2024 & CM APPL. 58254/2024

3. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India assailing a letter dated 15.04.2024 whereby his selection to the post of Postman Cadre was cancelled.
4. Petitioner was selected for the post of Postman Cadre on the basis of recruitment under sports quota vide letter dated 29.09.2023 through direct recruitment. As per the impugned cancellation letter, while scrutiny of sports documents issued by Taekwondo Federation of India, it was found that Taekwondo Federation was not recognised by the Ministry of Youth Affairs and Sports, Government of India for the year 2018 for the sport of Taekwondo.



5. It is evident from a plain reading of the writ petition and the prayer clause that the relief sought pertains to a challenge to the letter dated 15.04.2024, whereby selection of the Petitioner has been cancelled and is against Department of Post, Government of India and the Ministry of Youth Affairs and Sports. Section 14(1) of the Administrative Tribunals Act, 1985 provides that the Central Administrative Tribunal shall exercise, on and from the appointed day, all the jurisdiction, powers and authority exercisable immediately before that day by all Courts except the Supreme Court in relation to 'recruitment and matters concerning recruitment' to any civil service of the Union or a civil post under the Union. Matter relating to a challenge to appointment/selection would fall under Section 14(1) as a matter concerning recruitment and therefore, 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 remedy of the Petitioner will lie before the Central Administrative Tribunal as the only Court of first instance. This has been clearly held by this Court in ***Praveen Sharma v. U.P.S.C.*, 2007 SCC OnLine Del 2086**. I may also allude to the judgments of the Supreme Court in ***Kendriya Vidyalaya Sangathan and Another v. Subhas Sharma*, (2002) 4 SCC 145** and ***Rajeev Kumar and Another v. Hemraj Singh Chauhan and Others*, (2010) 4 SCC 554**, wherein the Supreme Court observed that in view of the authoritative pronouncement in ***L. Chandra Kumar (supra)***, the High Court erred in directly entertaining the petition concerning service matters over which Central Administrative Tribunal has jurisdiction.

6. In view of the above, this writ petition is dismissed as not maintainable with liberty to the Petitioner to approach Administrative



Tribunal, in accordance with law. Pending application also stands disposed of.

OCTOBER 3, 2024

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JYOTI SINGH, J