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

+ **W.P.(C) 15357/2024**

SMT DR SWAPNA NASKAR WILLIAMSONPetitioner

Through: Mr. D.K. Sharma and Mr. Rohit Vats,
Advocates.

versus

ALL INDIA INSTITUTE OF MEDICAL SCIENCES.....Respondent

Through: Mr. V.S.R. Krishna and Mr. V.
Shashank Kumar, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

04.11.2024

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CM APPL. 64414/2024

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

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3. This writ petition has been filed by the Petitioner seeking the following reliefs against the All India Institute of Medical Sciences, New Delhi, which is notified under Section 14 of the Administrative Tribunals Act, 1985:

“a) issue a writ of mandamus under article 226 and 227 of the constitution of India directing the respondent to treat PhD on job of the petitioner by treating all the benefits and facilities available to other similarly situated Officers/Faculty who were doing PhD on job during the period of Extra Ordinary Leave without pay and issue a writ of certiorari or any other appropriate writ order or direction quashing the Memorandum dated 30.04.2022 and 07.07.2023 rejecting the representation of the petitioner, same being null, void, ultra-vires and unconstitutional.”

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4. 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, Administrative Tribunals are the only Court of first instance for areas of law, in which they have the jurisdiction. Accordingly, this writ petition is dismissed, with liberty to the Petitioner to take recourse to the appropriate remedies before the appropriate forum in accordance with law. It will be open to the Petitioner to raise all pleas, legal and factual and all other contentions raised in the present writ petition in the appropriate forum.
5. Pending application also stands disposed of.

JYOTI SINGH, J

NOVEMBER 4, 2024

B.S. Rohella

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