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

+ W.P.(C) 6924/2018 and CM APPL. Nos. 26250/2018,
29131/2018 and 5044/2020

DR VIVEKANAND B JADHAV

.....Petitioner

Through: Mr. Pulkit Prakash, Mr. Arjun
Mohan, Mr. Chirantan Krishna and Ms. Arushi
Sharma, Advocates.

versus

MINISTRY OF HEALTH AND FAMILY WELFARE
& ORS.

.....Respondents

Through: Ms. Monika Arora, CGSC with Mr.
Subhrodeep Saha and Ms. Raadhika Kurdukar,
Advocates for R1 and R2.
Mr. Rishikant Singh and Mr. Dinesh Kumar,
Advocates for R3.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

25.11.2024

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1. During the course of hearing, learned counsel appearing on behalf of Respondents No. 1 and 2 has taken an objection to the maintainability of this writ petition on the ground that both the official Respondents, i.e., Ministry of Health and Family Welfare and Pasteur Institute of India are amenable to the jurisdiction of the Administrative Tribunal and in support hands over a copy of the notification, whereby Pasteur Institute of India is notified under Section 14 (2) of the Administrative Tribunals Act, 1985.

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2. There is merit in the contention of the Respondents. In view of the judgment of the Supreme Court in ***L. Chandra Kumar v. Union of India and Others, (1997) 3 SCC 261***, Central Administrative Tribunal is the only Court of first instance, to adjudicate the dispute raised by the Petitioner.
3. Accordingly, this writ petition is disposed of granting liberty to the Petitioner to approach the Central Administrative Tribunal, in accordance with law. Pending applications also stand disposed of.
4. Needless to state, if the question of limitation is raised before the Tribunal by the Respondents, learned Tribunal may take into account the factum of pendency of this writ petition in this Court which the Petitioner had filed under the bonafide impression that a writ petition is maintainable.

JYOTI SINGH, J

NOVEMBER 25, 2024/jg

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