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

+ W.P.(C) 8794/2017

NIRMALA DEVI

.....Petitioner

Through: Mr. Gyan Prakash, Ms. Neeraj and
Mr. Vaibhav Raj, Advocates.

versus

THE CHILD DEVELOPMENT PROGRAM OFFICER
AND ORS.

.....Respondents

Through: Ms. Avnish Ahlawat, Standing
Counsel with Ms. Tania Ahlawat, Mr. Nitesh
Kumar Singh, Ms. Palak Rohmetra, Ms. Laavanya
Kaushik and Ms. Aliza Alam, Advocates for
Respondent/GNCTD.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
12.09.2024

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1. This writ petition has been filed by the Petitioner, who was working as an *Anganwadi* worker with the Department of Women and Child Development laying a challenge to the termination order dated 06.10.2016 with consequential reliefs.

2. The Department of Women and Child Development under the Government of NCT of Delhi is notified under Section 14 of the Administrative Tribunals Act, 1985 and the relief claimed falls under '*Service Matters*' as defined under Section 3(q) of the said Act. 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 lies before the Administrative Tribunal as the only Court of first instance. Ordinarily, this Court would have permitted the Petitioner to withdraw the present petition and file a fresh Original Application before the Tribunal, however, considering that the Petitioner had approached this Court in the year 2017, this petition is transferred to the Central Administrative Tribunal and will be listed before the learned Registrar on 08.10.2024 for further proceedings.

3. Registry is directed to transmit the entire record of the writ petition to the Tribunal before the next date of hearing.
4. Considering that the Petitioner had approached this Court in 2017, the learned Tribunal may consider disposing of the petition as expeditiously as possible.
5. It is made clear that this Court has not expressed any opinion on the merits of the case.

JYOTI SINGH, J

SEPTEMBER 12, 2024

B.S. Rohella/kks