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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 971/2025 & CM APPLs. 4791-4792/2025

SARITA

.....Petitioner

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

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Amit Gupta, SPC with Mr.
Vidur Dwivedi, Advocate for UOI.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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31.01.2025

1. Further to the order dated 27.01.2025, learned counsel for Union of India ["UOI"] has taken instructions and states that All India Institute of Hygiene & Public Health, Kolkata [respondent No. 3 in the writ petition], is an attached office of the Directorate General of Health Services, Ministry of Health & Family Welfare, Government of India. He submits that the grievances raised in this writ petition are, therefore, amenable to the jurisdiction of the Central Administrative Tribunal ["CAT"] under the Administrative Tribunals Act, 1985. It is specifically stated that no separate notification is required for this purpose, and that the salaries of the employees are drawn on the Consolidated Fund of India. Learned counsel also states that he has been instructed to make this statement on behalf of the Institute also.

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2. The judgment of the Supreme Court in *L. Chandra Kumar vs. Union of India and Others*, [(1997) 3 SCC 261], interpreted *inter alia* in a recent Division Bench decision of this Court in *Parikshit Grewal & Ors. vs. Union of India & Anr.* [LPA 971/2024, decided on 27.09.2024], clearly holds that the writ Court ought not to adjudicate disputes at the first instance, if they fall within the jurisdiction of CAT.
3. The writ petition is therefore disposed of, with liberty to the petitioner to approach the CAT in respect of her grievances.
4. All pending applications also stand disposed of.

PRATEEK JALAN, J

JANUARY 31, 2025

SS/kb