



\$~2

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 1296/2025 & CM APPL. 6458/2025

LALITA KUMARI

.....Petitioner

Through: Mr. Anuj Aggarwal, Mr. Manas Verma, Ms. Kritika Matta, Mr. Avinash & Mr. Pradeep Kumar, Advocates.

versus

GOVT. OF N CT OF DELHI & ORS.

.....Respondents

Through: Mrs. Avnish Ahlawat, SC for GNCTD with Mr. Nitesh Kumar Singh, Ms. Laavanya Kaushik, Ms. Aliza Alam & Mr. Mohnish Sehrawat, Advocates for R-1, 2 & 4.

Ms. Shagun Shahi Chugh, Mr. Utsav A. Magotra, Ms. Shreya Mittal & Ms. Nandita Mishra, Advocates for R-3/UOI.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

24.02.2025

1. The petitioner has filed this writ petition under Article 226 Constitution seeking a direction upon the Government of National Capital Territory of Delhi ["GNCTD"] to absorb her as Junior Stenographer or on an equivalent post.

2. The petitioner's claim for absorption arises out of her employment, as Junior Stenographer, with Delhi Social Welfare Board ["DSWB"] from the year 2012 onwards. DSWB was dissolved in the year 2023 whereupon, according to the petitioner, she was entitled to be absorbed in GNCTD. She has received her salary until 31.08.2023 from DSWB. She has thereafter made representations to GNCTD for absorption, but has



only been informed that the matter is pending with the Services Department.

3. According to Mr. Anuj Aggarwal, learned counsel for the petitioner, the petitioner is, in fact, working in the GNCTD since dissolution of DSWB, but without payment of salary or other emoluments.

4. Ms. Aliza Alam, learned counsel for respondent Nos. 1, 2 and 4 takes a preliminary objection that the reliefs sought in this writ petition are amenable to the jurisdiction of the Central Administrative Tribunal [“CAT”].

5. Although Mr. Aggarwal submits that DSWB was an autonomous organisation, and was not notified for the purposes of jurisdiction of CAT, the aforesaid issue need not, in my view, detain us. The only respondents in this writ petition, after dissolution of DSWB, are the GNCTD and Union of India [“UoI”], both of which are clearly, subject to the jurisdiction of CAT. Section 14 of the Administrative Tribunals Act, 1985 confers jurisdiction on CAT, in all service matters in connection with the affairs of the UoI or other notified entities, which includes GNCTD.

6. For the aforesaid reasons, the writ petition is disposed of, with liberty to the petitioner to approach CAT in accordance with law. All rights and contentions of the parties are left open.

PRATEEK JALAN, J

FEBRUARY 24, 2025

‘pv’/kb/