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

+ W.P.(C) 6859/2025 and CM APPL. 31087/2025

YOGESH BENIWAL

.....Petitioner

Through: Mr. Naman Tandon, Advocate.

versus

CENTRAL BOARD OF SECONDARY EDUCATION

.....Respondent

Through: Mr. M.A. Niyazi, SC for CBSE
with Ms. Anamika Ghai Niyazi,
Ms. Kirti Bhardwaj, Ms. Nehmat
Sethi and Mr. Arquam Ali,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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21.05.2025

1. The grievance raised by the petitioner in this petition under Article 226 of the Constitution are admittedly amenable to the jurisdiction of the Central Administrative Tribunal ["CAT"] under the Administrative Tribunals Act, 1985. The judgment of the Supreme Court in *L. Chandra Kumar v. Union of India and Others*, (1997) 3 SCC 261, interpreted *inter alia* in a Division Bench decision of this Court in *Parikshit Grewal & Ors. v. 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.
2. After some hearing, learned counsel for the petitioner seeks permission to withdraw this writ petition, with liberty to approach the



CAT on the same cause of action.

3. The petition, alongwith the pending application, is dismissed as withdrawn, with liberty as aforesaid.

MAY 21, 2025
UK/kb/

PRATEEK JALAN, J