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

+ **W.P.(C) 10477/2025**

ASHISH

.....Petitioner

Through: Mr. Balraj Singh Malik & Mr.
Gaurav Bishnoi, Advocates. [M:-
9654807687]

versus

**UNIVERSITY GRANT COMMISSION
THROUGH ITS CHAIRMAN**

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **22.07.2025**

CM APPL. 43524/2025 (exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 10477/2025

1. The petitioner has approached this Court under Article 226 of the Constitution, seeking compassionate appointment in the University Grants Commission ["UGC"], consequent upon the demise of his mother, who was in the service of UGC as a Section Officer.

2. At the outset, it may be noted that UGC is a notified entity for the purpose of jurisdiction of the Central Administrative Tribunal ["Tribunal"] under the Administrative Tribunals Act, 1985



[“Administrative Tribunals Act”]. The judgment of the Supreme Court in *L. Chandra Kumar v. Union of India and Others*, [(1997) 3 SCC 261] [hereinafter, “*L. Chandra Kumar*”], clearly holds that the writ Court cannot be approached at the first instance in respect of disputes which fall within the jurisdiction of the Administrative Tribunal. While the remedy under Article 226 of the Constitution cannot be given a go-by, the Constitution Bench has clearly held that the said jurisdiction can be invoked only if a litigant is aggrieved by an order of the Tribunal, and not at the first instance. In fact, the Tribunal has been vested with jurisdiction even to consider questions relating to the constitutionality of legislation.

3. The judgment in *L. Chandra Kumar* has been interpreted by the Division Bench of this Court, *inter alia*, in *Parikshit Grewal & Ors. v. Union of India*, [2024 SCC OnLine Del 6939], and *Manish Kumar v. Union of India & Ors.*, [2025 SCC OnLine Del 1519], wherein it has been unequivocally held that no writ petition would lie in respect of such matters. There is only one exception to this rule, which is when the *vires* of the Administrative Tribunals Act is itself under challenge. Such is not the case here.

4. As far as the petitioner’s claims are concerned, it may be noted that the jurisdiction of the Tribunal covers “*all the jurisdiction, powers and authority.....in relation to*” various matters, including all aspects of recruitment and terms and conditions of service. The petitioner’s case, in my view, falls within the scope of the jurisdiction of the Tribunal, both on the ground that he seeks recruitment in the service of the UGC, and that the claim arises “*in relation to*” his mother’s service in the UGC.

5. The petition is, therefore, dismissed, with liberty to the petitioner to



approach the Tribunal for the same relief. The rights and contentions of the parties have not been adjudicated on merits.

PRATEEK JALAN, J

JULY 22, 2025
'pv/JM'/'