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

+ **W.P.(C) 11926/2025 & CM APPL. 48549/2025**

DR MEHUL TYAGI

.....Petitioner

Through: **Mr. K.K. Tyagi and Ms. Garima Tyagi, Adv.**

versus

ALL INDIA INSTITUTE OF MEDICAL SCIENCE.....Respondent

Through: **Appearance not given.**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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08.08.2025

1. The present petition has been filed seeking following relief:
 - a) *issue a writ of certiorari for quashing of notice no.293/225 dated 02.08.2025 and communication dated 04th august, 2025 whereby the petitioner's candidature is directed to be considered under UR category instead of EWS category for SRD-CET- July 2025 Session;*
 - b) *issue a writ of Mandamus or any other appropriate writ/ order or directions to the respondent directing the respondents to consider the candidature of the petitioner under EWS category;*

And
2. At the outset of the learned counsel for the respondent/AIIMS invites attention of the Court to the advertisement dated 27.06.2025 to contend that controversy involved in the present petition is with regard to the appointment of petitioner as Senior Resident/Senior Demonstrator for a tenure period of three years.
3. He submits that since the matter pertains to an appointment, it falls in



the category of service, therefore, the petitioner ought to have approached the Central Administrative Tribunal (CAT), as AIIMS is notified under Section 14 of the Central Administrative Tribunal Act.

4. Faced with this situation, Mr. K.K.Tyagi, learned counsel for the petitioner seeks to withdraw the present petition to approach the learned Central Administrative Tribunal.

5. Accordingly, the petition is dismissed as withdrawn with liberty as aforesaid.

VIKAS MAHAJAN, J

AUGUST 8, 2025/dss