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

+ W.P.(C) 736/2024 and CM APPL. 5526/2025

NVS RETIRED EMPLOYEES ASSOCIATIONPetitioner

Through: Dr. Shashi Kiran, Senior Advocate
with Mr. Ujjawal Agrawal, Ms. S.
Bhalla and Ms. Usha Mishra,
Advocates.

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Anshuman, SPC with Mr.
Piyush Ahluwalia, Advocate.

+ W.P.(C) 8390/2024 and CM APPL. 34534/2024, CM APPL.
31687/2025

K.B.V.D.P SARMA AND ORSPetitioners

Through: Mr. Gaurav Kumar and Mr. Vinod
Sharma, Advocates.

versus

UNION OF INDIA AND ORSRespondents

Through: Mr. Syed Abdul Haseeb, CGSC
with Mr. J.K. Tripathi, G.P. for
UOI.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **21.07.2025**

1. In both these petitions, the reliefs sought are directed against the Navodaya Vidyalaya Samiti, which is a notified entity for the purposes of jurisdiction of the Central Administrative Tribunal [“the Tribunal”] under the Administrative Tribunals Act, 1985.

2. Consequently, having regard to the judgment of Supreme Court in *L. Chandra Kumar v. Union of India and Others* [(1997) 3 SCC 261], as



interpreted in several judgments of this Court, including in *Parikshit Grewal & Ors. v. Union of India* [2024 SCC OnLine Del 6939] and *Manish Kumar v. Union of India and Others* [2025 SCC OnLine Del 1519], the petitioners must first approach the Tribunal. The jurisdiction of the writ Court, therefore, cannot be invoked at the first instance.

3. Having regard to this position, learned counsel for the petitioners seek permission to withdraw the writ petitions, with liberty to approach the Tribunal on the same cause of action. They are permitted to do so.

4. It is made clear that any pleadings filed before this Court may be placed before the Tribunal, alongwith the applications filed by the petitioners, so that the Tribunal can take a call as to whether any further pleadings are required.

5. Learned counsel for the petitioners also seek directions for expeditious hearing before the Tribunal. They may seek this prayer before the Tribunal once their applications are filed.

6. The writ petitions, alongwith the pending applications, are dismissed as withdrawn, with liberty as aforesaid.

PRATEEK JALAN, J

JULY 21, 2025

UK/AD/