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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 13391/2025 and CM APPLs. 54872-54874/2025
MEKALA NARESH BABUPetitioner

Through: Mr. Bipin Bihari Singh, Mr. Somanatha Padhan, Mr. Aakash Kakade and Mr. Swetab Kumar, Advocates with petitioner in person.

versus

UNION PUBLIC SERVICE COMMISSION
THROUGH ITS SECRETARY & ANR.Respondents

Through: Mr. Ravinder Agarwal, Mr. Manish Kumar Singh and Mr. Vasu Agarwal, Advocates for UPSC.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
01.09.2025

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1. This petition is directed against Union Public Service Commission and Directorate General of Civil Aviation. It clearly, and admittedly falls within the jurisdiction of the Central Administrative Tribunal ["the Tribunal"]. The petition has nevertheless been filed before this Court, at the first instance, under Article 226 of the Constitution.
2. Such a petition is unequivocally barred by the judgment of the 7-judge Bench in *L. Chandra Kumar v. Union of India & Ors.* [(1997) 3 SCC 261] [hereinafter, "*L. Chandra Kumar*"]. The law laid down in *L. Chandra Kumar* has been followed by this Court in several cases, including two Division Bench judgments rendered in the last one year,



i.e., *Parikshit Grewal & Ors. v. Union of India & Anr.* [2024 SCC OnLine Del 6939] and *Manish Kumar v. Union of India & Ors.* [2025 SCC OnLine Del 1519].

3. The Court has, time and again, expressed its disapproval of litigants being misled into filing cases before this Court, which are maintainable only before the Tribunal, and of the consequent wastage of judicial time.

4. It is a matter of concern that such petitions continue to be filed, at first instance, under Article 226 of the Constitution. The legal position is beyond doubt, and has been settled for close to 30 years now. Nevertheless, several petitions are filed every week, which ought to have been instituted before the Tribunal. I am unconvinced that this phenomenon is borne solely out of ignorance of the legal position.

5. The Court has, thus far, refrained from imposing costs in cases of this nature, so that individual litigants seeking resolution of service-related disputes are not unduly burdened. However, we are reaching a point where the Court will have to impose costs in such cases.

6. At this stage, Mr. Bipin Bihari Singh, learned counsel for the petitioner, seeks permission to withdraw the writ petition, with liberty to approach the Tribunal.

7. The writ petition, alongwith pending applications, is dismissed as withdrawn, with liberty as aforesaid.

PRATEEK JALAN, J

SEPTEMBER 1, 2025

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