



\$~79

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

+ W.P.(C) 14169/2025 & CM APPL. 58113/2025

SHRI SUNEEL KUMAR

.....Petitioner

Through: Ms. Deeksha Mishra, Advocate.

versus

GOVT NCT OF DELHI AND ORS

.....Respondents

Through: Mrs. Avnish Ahlawat, SC with Mr. N.K. Singh, Ms. Aliza Alam, Advocates for GNCTD.
Mr. Ripin Sood, Advocate for R-1.
Ms. Gauri Goburdhun, Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **15.09.2025**

1. The petitioner was employed as a Security Guard by respondent No. 3 – MJK Security & Sanitation [“MJK”], a private agency. He was posted at respondent No. 2 – Govt. Sarvodaya Vidyalaya [“School”], pursuant to a contract between respondent No. 1 – Government of National Capital Territory of Delhi [“GNCTD”] and MJK. His grievance is against an order dated 23.07.2024, by which the School directed MJK to transfer him to another school or office.
2. The petitioner has already approached the Labour Commissioner against MJK. Ms. Deeksha Mishra, learned counsel for the petitioner, does not seem to be very clear as to whether the proceedings are still pending, but states that no final order has been passed.



3. In either eventuality, it is for the petitioner to pursue his remedies before the Labour Commissioner or to challenge any order passed by the Labour Commissioner in appropriate proceedings. He cannot approach the writ Court in its extraordinary constitutional jurisdiction by way of an independent writ petition, in respect of a matter which he has already agitated before the Labour Commissioner.

4. In these circumstances, Ms. Mishra seeks liberty to withdraw the writ petition, with liberty to pursue alternative remedies. She further submits that, in the event the petitioner wishes to agitate service related disputes against the GNCTD, he will approach the Central Administrative Tribunal ["Tribunal"]. As far as this aspect is concerned, if the petitioner initiates any such proceedings, the same will be decided in accordance with law. This Court has made no observations on the maintainability or merits of any proceedings before the Tribunal in respect of these disputes.

5. The writ petition, alongwith pending application, is disposed of with these observations.

PRATEEK JALAN, J

SEPTEMBER 15, 2025

"Bhupi/KA"/