IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No. 3178 of 2016
Decided on : 25.04.2026

Darshan Lal

…Petitioner

Versus

Khadi & Village Industries Commission and another

…Respondents

Coram
Hon'ble Mr. Justice Ajay Mohan Goel, Judge
Whether approved for reporting?[1]

For the petitioner : Mr. Vivek Singh Attri, Advocate.

For the respondents : Ms. Archana Dutt, Advocate.

Ajay Mohan Goel, Judge *(Oral)*

By way of this writ petition, the petitioner has, *inter alia,* prayed for the following reliefs:-

> *"i) That the charge sheet February 2011 (Annexure P-1), Inquiry Report, Penalty order dated 13.10.2015 and Rejection Order dated 15/18.4.2016 may kindly be quashed and set aside and petitioner may be held continuous in service with the respondents alongwith all consequential benefits.*

1*Whether reporters of the local papers may be allowed to see the judgment?*

ii) That the respondents may kindly be burdened with costs."

2. Learned counsel for the respondents points out that in terms of Notification dated 17.11.2015, issued by Ministry of Personnel, Public Grievances and Pensions, Khadi and Village Industries Commission is now covered under Section 14(2) of the Administrative Tribunals Act, 1985, therefore, this writ petition is not maintainable, as the petitioners should have invoked the jurisdiction of the learned Central Administrative Tribuanl. Learned counsel submits that the Notification stood issued on 17.11.2015, whereas, this petition has been filed thereafter in the year 2016.

3. Faced with this situation, learned counsel for the petitioner prays for and is permitted to withdraw this petition on behalf of the petitioner, with liberty to the petitioner to approach the learned Central Administrative Tribunal. It is further observed that if any application is filed for condonation of delay then the time spent by the petitioner while bonafidely pursuing this remedy before this Court, be sympathetically taken into consideration by learned Central Administrative Tribunal.

Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

April 25, 2026
(Shivank Thakur)