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

+ **W.P.(C) 1915/2026 & CM APPL. 9294/2026**

DR SHINGINI SHARMA

.....Petitioner

Through: Mr. Rajneesh Kumar Sharma, Mr.
Alok Saxena, Ms. Akshita Jaiswal &
Mr. Saksham Tuli, Advs.

versus

**DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRYING &
ORS.**

.....Respondents

Through: Ms. Manisha Agrawal Narain, CGSC
with Mr. Navneet Saharan, Adv. &
Ms. Neha Sharma, GP for R-1 & 2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **11.02.2026**

CM APPL. 9293/2026 (Exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Applicant shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

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4. The Petitioner is serving as an Assistant Commissioner with the CCS National Institute (Animal Health), under the Ministry of Fisheries, Animal Husbandry and Dairying, and is presently posted in Uttar Pradesh.
5. She has already instituted an Original Application before the Central Administrative Tribunal ("CAT"), where grievances concerning leave encashment, promotion, and delay in issuance of APARs have been raised.



That proceeding remains pending. During its pendency, the Petitioner has approached this Court alleging sustained harassment, victimisation, and discrimination at the hands of the Respondents. It is asserted that this pattern has continued for over a decade and has materially impaired her career progression.

6. It is further urged that the alleged victimisation is a retaliatory response to the Petitioner having discharged official duties with diligence and having objected to what are described as manipulations and illegal acts within the establishment.

7. The Respondents raise a preliminary objection to maintainability. The submission is that the dispute is, in substance, a service matter and the Petitioner has an efficacious statutory remedy before the CAT, which is already seized of the controversy.

8. Counsel for the Petitioner, on the other hand, submits that the petition deserves to be entertained because the allegations are of systemic discrimination and hostile treatment affecting career advancement, including unjustified deferment of promotion. The principal prayer is for a writ of mandamus directing constitution of an independent enquiry by an authority or committee unconnected with the Respondents to examine the allegations of harassment, victimisation, and discrimination.

9. The Court has considered the aforementioned submissions. On a close reading of the pleadings, the grievance, whatever be the language in which it is framed, stems from, and is inseparably connected with, the Petitioner's service conditions and the manner in which the employer has dealt with performance-related and service-related facets.

10. The Petitioner specifically attributes victimisation to actions such as



issuance of memos and show cause notices, delay or obstruction in APAR-related steps, and other administrative measures that directly bear upon service profile and promotional prospects. These are not independent civil wrongs divorced from service law. They are workplace acts and decisions that fall within the familiar domain of service jurisprudence.

11. The overlap with the pending CAT proceedings is not marginal. Matters relating to leave encashment, promotion, and APARs form the subject of the pending Original Application. The present writ petition is, in substance, an additional articulation of the same dispute through a different remedial frame, with the enquiry prayer presented as the principal relief.

12. The fact that the Petitioner also alleges harassment or victimisation does not, by itself, lift the dispute out of the Tribunal's domain. Where the alleged harassment is pleaded as the cause, or the method, by which adverse service consequences are brought about, the remedy ordinarily lies before the specialised forum constituted to examine precisely such controversies, including ancillary and consequential reliefs.

13. In *L. Chandra Kumar v. Union of India*¹, the Supreme Court clarified that, in matters entrusted to the Administrative Tribunals, the Tribunal functions as the forum of first instance. The writ jurisdiction of the High Court is not extinguished, but the High Court ordinarily refrains from entertaining such disputes at the threshold when an efficacious statutory forum is available and is already seized of the matter.

14. The recognised exceptions that may justify departure from this discipline, such as a clear case of lack of jurisdiction, a challenge to the *vires* of the parent statute, or a procedural situation where the statutory forum is



demonstrably incapable of granting effective relief, are not made out on the present pleadings. The Petitioner has already invoked the Tribunal's jurisdiction and may pursue appropriate interim and final reliefs there, including reliefs tailored to the grievance of alleged victimisation, in accordance with law.

15. In these circumstances, the Court declines to entertain the present writ petition. Liberty is reserved to the Petitioner to pursue all available remedies before the CAT, including any application for additional reliefs arising from subsequent events, if so advised.

16. The writ petition is disposed of in the aforesaid terms.

17. Nothing in this order shall be construed as an expression on the merits of the allegations. All rights and contentions of the parties are left open to be urged before the Tribunal.

SANJEEV NARULA, J

FEBRUARY 11, 2026/ng

¹ (1997) 3 SCC 261.