



\$~72

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

+ **W.P.(C) 2115/2026 & CM APPL. 10300-10302/2026**

VIJAY KUMAR TANWAR

.....Petitioner

Through: Mr. Rajat Arora, Mr. Niraj Kumar
and Mr. Sourabh Mahla, Advocates.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Ms. Iram Majid, CGSC with Mr.
Shivam Parashar and Mr. Mohd.
Suboor, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

13.02.2026

%

1. The present petition challenges the rejection of the Petitioner's candidature for the post of Civil Motor Driver (Ordinary Grade) in the Military Engineer Services, pursuant to recruitment advertisement dated 6th March, 2023, published by the Staff Selection Commission.

2. At the outset, counsel for the Respondents object to the maintainability of the present petition on the ground that the Staff Selection Commission is a notified authority under Section 14 of the Administrative Tribunals Act, 1985 and the dispute raised herein falls within the jurisdiction of the Central Administrative Tribunal. It is submitted that, in view of the judgment of the Supreme Court in *L. Chandra Kumar v. Union of India &*



Ors.,¹ the Petitioner, having an efficacious alternative remedy before the Tribunal, cannot invoke the writ jurisdiction of this Court.

3. In view of the above, counsel for the Petitioner seeks leave to withdraw the present petition with liberty to approach the Central Administrative Tribunal, in accordance with law.

4. Leave and liberty as prayed for, are granted.

5. The Court has not commented on the merits of the case. All rights and contentions of the parties are left open.

6. Disposed of along with pending application.

SANJEEV NARULA, J

FEBRUARY 13, 2026/hc

¹ (1997) 3 SCC 261.