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

+ W.P.(C) 2492/2026 & CM APPL. 12083/2026

DR. SHRUTI AND ORS.

.....Petitioners

Through: Ms. S. Janani, Sr. Advocate with Mr. Dinesh Kothari, Mr. Gopal Singh Chauhan and Mr. Nishant Kumar, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Dr. Divya Swamy, SC for MCD, Mr. Yagyawalkya Singh and Ms. Ananya Y, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

**23.02.2026**

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1. This petition seeks a *mandamus*, directing the Respondent corporation to regularise the Petitioners who joined on contractual basis as Medical Officers (Ayurveda).
2. At the outset, counsel for the Respondents raises a preliminary objection as to the maintainability of the petition, arguing that the dispute raised herein squarely falls within the jurisdiction of the Central Administrative Tribunal ("CAT"). It is further pointed out that some of the Petitioners had earlier approached the CAT. Reliance is placed on order dated 10<sup>th</sup> February, 2020 (annexed as Annexure P-8 to the present petition) whereby the request of the Petitioners was not entertained. It is argued that the Petitioners cannot re-agitate the same issue and, in any case, bypass the statutory forum and invoke the writ jurisdiction of this Court.



3. Ms. S. Janani, Senior Counsel for the Petitioner, in response, submits that the legal position governing the issue of regularisation has since undergone a change and a fresh cause of action has accrued in favour of the Petitioners. She argues that relegating them to the Tribunal would not be appropriate as their claims have been declined by the said forum.

4. In the opinion of the Court, if there has indeed been a change in the legal position and a fresh cause of action has accrued in favour of the Petitioners, the appropriate course, particularly in light of the fact that some of them had earlier approached the Tribunal, would be to avail of the remedy before the Central Administrative Tribunal in the first instance. In any event, the position stands settled in view of *L. Chandra Kumar v. Union of India & Ors.*,<sup>1</sup> and the Petitioners are required to avail the remedy before the Tribunal in the first instance.

5. Accordingly, the writ petition is dismissed as not maintainable, with liberty to the Petitioners to approach the Central Administrative Tribunal, in accordance with law.

6. It is clarified that this Court has not examined the merits of the claims raised in the present petition. All rights and contentions of the parties are left open to be urged before the Tribunal.

7. The petition is disposed of in the above terms.

**SANJEEV NARULA, J**

**FEBRUARY 23, 2026/hc**

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<sup>1</sup> (1997) 3 SCC 261.