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

+ **W.P.(C) 3143/2026, CM APPL. 15111-15112/2026**

NARESH KUMAR YADAV

.....Petitioner

Through: Mr. Towseef Ahmad Dar, Advocate.

versus

UNION OF INDIA AND ANR.

.....Respondents

Through: Mr. V.S.R. Krishna and Mr. V.
Shashank Kumar, Advocates for R-2.
Mr. Rahul Sambher, SPC for R-1.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

12.03.2026

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1. This writ petition seeks the following relief:

“a) Set-aside, order or direction of suspension order F.No. 14-05/2025-Vig dated 29.12.2025 passed by the respondent No 2;

b) Issue an appropriate writ, order or direction, including a writ of mandamus, directing the respondents to permit the petitioner to continue in service and discharge his duties, with all consequential benefits;

c) In the alternative, direct the respondents to conclude the disciplinary proceedings, if any, within a time-bound period as may be fixed by this Hon'ble Court, without continuing the petitioner under suspension;

d) Declare that the action of the respondents in placing the petitioner under repeated suspension on the same /similar grounds, after having permitted him to join duties pursuant to the Tribunal proceedings, is arbitrary, mala fide and a colourable exercise of power;

e) Pass an appropriate interim order staying the operation and effect of the impugned suspension order during the pendency of the present writ petition;”

2. At the outset, counsel for the Respondents object to the maintainability of the present petition on the ground that the All India



Institute of Medical Sciences (“*AIIMS*”) 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 any pending applications.

SANJEEV NARULA, J

MARCH 12, 2026

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¹ (1997) 3 SCC 261.