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

+ **W.P.(C) 3204/2026 & CM APPL. 15374/2026**

PINKI AND ORS

.....Petitioners

Through: Mr. Rahul Tyagi, Mr. Vivek Prakash
and Mr. Aakash Nagar, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND ANR

.....Respondents

Through: Mr. Anand Prakash, SC with Mr.
Darsh Bansal and Ms. Varsha Arya,
Advocates for MCD.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

13.03.2026

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1. This writ petition seeks the following relief:

“(a) Issue a writ of Mandamus or any other appropriate writ, order or direction, directing the Respondents, particularly Respondent No.1, to consider and decide the Petitioners’ joint representation dated 28.01.2026 by passing a clear, reasoned and speaking order within a stipulated and time-bound period;

(b) Pending consideration and final decision on the said representation, direct the Respondents to permit the Petitioners to resume duty and continue discharge their services under Respondent No.2, or to pass appropriate interim directions safeguarding their engagement and livelihood;

(c) Direct the Respondents to release and pay wages/salary to the Petitioners for the period during which they have been kept out of duty without a speaking order, including during the pendency of the present writ petition, in accordance with law;

(d) In the alternative, direct that till such time a speaking and reasoned order is passed by the Respondents, the Petitioners shall be treated as continuing Daily Wager Safai Karamcharis and be paid wages regularly as per applicable norms;



(e) Grant liberty to the Petitioners to avail appropriate remedies in accordance with law, if aggrieved by the decision taken by the Respondents pursuant to the directions of this Hon'ble Court;

(f) Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interest of justice."

2. At the outset, counsel for the Respondents object to the maintainability of the present petition on the ground that the Municipal Corporation of Delhi 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 application.

SANJEEV NARULA, J

MARCH 13, 2026

as

¹ (1997) 3 SCC 261.