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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5306/2026 & CM APPLs. 25994-25996/2026**
PALLAVI SAHOO AND ORS.Petitioners

Through: Ms. Anushree Kapadia, Mr. Pranay
Bhardwaj and Mr. Pragay J.,
Advocates.

versus

ALL INDIA INSTITUTE OF MEDICAL SCIENCES AND ANR.

.....Respondents

Through: Mr. Anand Varma, Mr. Aryush Gupta
and Mr. Puspam, Advocates for
AIIMS.

Ms. Rupali Bandhopadhyay, SPC
with Mr. Abhijeet Kumar and Ms.
Amisha Gupta, Advocates with Ms.
Dumni Soren, G.P. for UOI.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

20.04.2026

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1. The present petition arises out of a recruitment process initiated by All India Institute of Medical Sciences¹ (Respondent No. 1) pursuant to a common advertisement dated 07th April, 2025, inviting applications for faculty posts across its institutions, including AIIMS, Ansari Nagar and CAPFIMS. One such post is Assistant Professor of Anaesthesiology/Onco-Anaesthesiology.
2. The Petitioners, as applicants for the said post, are aggrieved by their exclusion from further consideration pursuant to the list of ineligible

¹ "AIIMS"



candidates dated 13th April, 2026.

3. At the outset, counsel representing AIIMS, raises a preliminary objection as to maintainability. It is submitted that AIIMS is a notified authority under the Administrative Tribunals Act, 1985 and that the dispute raised pertains to a recruitment process and interpretation of eligibility conditions. It is, therefore, contended that the appropriate forum for adjudication is the Central Administrative Tribunal, in view of the law laid down by the Supreme Court in *L. Chandra Kumar v. Union of India*.²

4. Counsel for the Petitioners submits that, in view of the past practice of Respondent No. 1 and the experience gained by the Petitioners in the DM course in Critical Care Medicine, their exclusion is not in accordance with the recruitment advertisement dated 07th April, 2025. However, in view of the objection on maintainability, she seeks leave to withdraw the present petition with liberty to approach the Central Administrative Tribunal, to urge all grounds raised herein, including those relating to interpretation of eligibility conditions and the validity of the ineligibility list dated 13th April, 2026.

5. Leave and liberty as prayed for, are granted. All rights and contentions of the Petitioners are kept open.

6. It is clarified that withdrawal of the present petition shall not amount to expression of the Court's opinion on the merits of the case.

7. Considering that the interviews pursuant to the impugned notification dated 13th April, 2026 are scheduled to commence imminently, liberty is granted to the Petitioners to seek urgent listing before the Central Administrative Tribunal. In the event such a request is made, the Tribunal is



requested to consider the same expeditiously, in accordance with law and having due regard to the urgency expressed.

8. All rights and contentions of the parties are left open.

9. With the above directions, the present petition is disposed of along with pending applications.

SANJEEV NARULA, J

APRIL 20, 2026

as

² (1997) 3 SCC 261.