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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 7527/2026 & CM APPL. 36445/2026**  
**SUNIL KUMAR AND ORS.** .....Petitioners

Through: Ms. Saroj Tripathi, Advocate.

versus

**UNION OF INDIA AND ORS.** .....Respondents  
Through: Mr. Siddharth, Standing Counsel for  
ESIC with Ms. Himanshi Girdhar,  
Mr. Deepanshu Grover, Advocates  
for R-2 to 6.

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

**ORDER**  
**25.05.2026**

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1. This writ petition seeks the following reliefs:

- “1. Issue a writ of Certiorari quashing Circular dated 12.03.2026 and stay operation of disengagement and allow petitioner to continue till disposal.
2. Declare discontinuation based on the said circular, illegal; and respondents action replacing the applicants by engaging the Non-Technical and unskilled manpower as illegal, biased, perverse, unjust, arbitrary, malafide, unconstitutional, against the principles of natural justice.
3. Issue a writ of Mandamus directing continuation of Petitioners till lawful recruitment;
4. Allowing the Writ with consequential benefits and costs any other fit and proper relief may also be granted
5. Pass any other order deemed fit.”

2. At the outset, counsel for the Respondents object to the maintainability of the present petitions on the ground that the Employees State Insurance Corporation 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.*,<sup>1</sup> the Petitioners, 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. Dismissed along with pending application.

**SANJEEV NARULA, J**

**MAY 25, 2026/ab**

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