

(2020) 07 DEL CK 0174

In the Delhi High Court

Case No : Civil Writ Petition No. 4563 Of 2020

Dinesh Kumar

APPELLANT

Vs

Special Commissioner Of Police (Training) & Ors

RESPONDENT

Date of Decision : 28-07-2020

Acts Referred:

Constitution Of India, 1950 — Article 226, 227
Administrative Tribunal Rules of Practice, 1993 — Rule 154(b)
Administrative Tribunals Act, 1985 — Section 3(q), 14(1)

Citation : (2020) 07 DEL CK 0174

Hon'ble Judges : Jyoti Singh, J

Bench : Single Bench

Advocate : Hemant Kumar

Final Decision : Disposed Of

Judgement

Jyoti Singh, J

1. Hearing has been conducted through Video Conferencing.
2. Petitioner, who is serving as an Inspector (Executive) of the Delhi Police, has filed the present petition assailing an Order whereby his Representation dated 15.06.2020 has been rejected by Respondent No. 1 vide order dated 07.07.2020. Petitioner in his Representation has assailed the appointment of the Inquiry Officer in the disciplinary proceedings initiated against him.
3. Subject matter of the present petition is a service matter and the Petitioner is member of the Delhi Police and thus amenable to the jurisdiction of the Central Administrative Tribunal.
4. This Court has no jurisdiction to deal with the present petition in light of Section 14(1) read with Section 3(q) of the Administrative Tribunals Act,

1985.

5. Central Administrative Tribunal has the jurisdiction to entertain â??service mattersâ??, in the first instance, with respect to the Ministries /

Departments covered under the Act/notified under Rule 154(b) of the Administrative Tribunal Rules of Practice, 1993. This has been clearly held by

the Supreme Court in the case of L. Chandra Kumar v. Union of India and Others, [(1997) 3 SCC 261]. It was further held that High Courts will have

the power of Judicial Review under Articles 226 and 227 of the Constitution of India over the orders passed by the Tribunals.

6. At this stage, Mr. Hemant Kumar, learned Counsel for the Petitioner seeks to withdraw the petition with liberty to approach the Central

Administrative Tribunal.

7. Petition is accordingly disposed of as withdrawn with liberty as prayed.