



2026:DHC:1090-DB



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

+ **W.P.(C) 1820/2026 & CM APPL. 8811/2026**

REKHA DEWANPetitioner

Through: **Mr. Gurupal Singh, Adv.**

versus

**GOVERNMENT OF NCT
OF DELHI & ORS.**

.....Respondents

Through: **Mrs. Avnish Ahlawat SC
GNCTD Services, Mr. Nitesh Kumar Singh,
Ms Aliza Alam, Mr. Mohnish Sehrawat,
Advs.**

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER(ORAL)

% 09.02.2026

C. HARI SHANKAR, J.

1. The prayer clause in this writ petition reads as under:

a) Issue a Writ of Mandamus or any other appropriate writ, order, or direction upholding the Judgment dated 12.01.2026 in OA 4486 of 2025 passed by the Hon'ble Central Administrative Tribunal;

b) Issue a Writ of Certiorari or any other appropriate writ, order, or direction quashing the impugned Circular dated 19.10.2023 issued by Respondent No. 2;

c) Issue a Writ of Mandamus or any other appropriate writ, order, or direction declaring that the Petitioner is covered by the Old Pension Scheme (CCS Pension Rules, 1972) and directing the Respondents to grant her all consequential benefits, including arrears of pension, from the date of her superannuation;

d) Issue a Writ of Declaration or any other appropriate writ,



order, or direction declaring Rule 6(2) and Rule 14(2)(c) of the Delhi Health Service (Allopathy) Rules, 2009 as unconstitutional and violative of Article 14 of the Constitution of India, to the extent they deny the benefit of past contractual service for pensionary purposes; and

e) Pass any other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

2. Prayer 'a' prays that this Court should *uphold* the judgment passed by the Central Administrative Tribunal¹ by way of a writ of mandamus.

3. Such a prayer, to our mind, is unheard of.

4. The judgment of the Tribunal exists and, till it is set aside or modified, it would remain in force.

5. A judgment of the Tribunal does not need the imprimatur of the High Court in order for it to become valid and operative.

6. So far as prayers 'b' to 'd' are concerned, to a query from the Court, Mr. Singh, learned Counsel for the petitioner candidly acknowledges that these prayers had already been ventilated by the petitioner before the Tribunal in OA 4486/2025.

7. The petitioner seems to be concerned about the fact that the Tribunal, in para 10 of the order passed in the said OA, has made the decision subject to the outcome of WP (C) 1265/2018 which is pending before the Coordinate Bench of this Court.

¹ "the Tribunal", hereinafter



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8. There is, however, no challenge to the impugned order, or even to the stipulation, therein, as contained in para 10 thereof.
9. Mr. Singh seeks permission that this petition may be tagged along with WP (C) 1265/2018.
10. There is no question of acceding to the prayer as this petition is not maintainable. Prayer 'a', as we have noted, is incomprehensible. Prayers 'b' to 'd' already stand agitated before the Tribunal which has decided the OA.
11. The judgment of the Tribunal is not under challenge before us.
12. This writ petition is, therefore, completely misconceived and is accordingly dismissed in *limine*.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

FEBRUARY 9, 2026/At