



2025:DHC:9800-DB



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

+ **W.P.(C) 1814/2024**

**VIVEK**

.....Petitioner

Through: Mr. Aayush Agarwala and Mr.  
Aman Shekhar, Advs.

versus

**UNION OF INDIA & ANR.**

.....Respondents

Through: Ms. Nidhi Banga, SPC with Mr.  
Sandeep Choudhary, Adv. for R-1  
Mr. Ravinder Agarwal, Mr. Manish Kumar  
Singh, Mr. Vasu Agarwal and Mr. Lekh Raj  
Singh, Advs. for R-2

**CORAM:**

**HON'BLE MR. JUSTICE C. HARI SHANKAR**

**HON'BLE MR. JUSTICE OM PRAKASH SHUKLA**

**ORDER (ORAL)**

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**07.11.2025**

**C. HARI SHANKAR, J.**

1. In view of the judgment of the Supreme Court in **L. Chandra Kumar v UOI**<sup>1</sup>, the *lis* in this writ petition cannot be entertained by this Court as a court of first instance as it is amenable to the jurisdiction of Central Administrative Tribunal<sup>2</sup> in terms of Section 19 of the Administrative Tribunals Act, 1985.

2. However, as the case involves a person with disability, we deem it appropriate, instead of requiring the petitioner to reinstitute the proceeding before the Tribunal, to transfer the present writ petition to

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

<sup>2</sup> "Tribunal" hereinafter



2025:DHC:9800-DB



the Tribunal for it to be treated as an Transferred Application/Original Application and adjudicated by the Tribunal in accordance with law.

3. For the said purpose, we direct the Registry of this Court to transmit the papers of this writ petition in electronic form to the Tribunal within a week.

4. The Tribunal is directed to register the writ petition as a Transferred Application/Original Application as per its procedure and list it before the concerned Bench on 21 November 2025.

5. On the said date, the parties would ensure that they are represented before the Tribunal and would not seek any adjournment.

6. We request the Tribunal to treat the matter with due expedition as it involves a differently-abled person.

7. The writ petition is accordingly removed from the records of this Court and transmitted to the Tribunal in terms of the aforesaid order.

8. The records of this writ petition thus far would be treated as the records of the matter before the Tribunal.

**C. HARI SHANKAR, J**

**OM PRAKASH SHUKLA, J**

**NOVEMBER 7, 2025/AR**