



2026:DHC:7010-DB



\$~96

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010293562026
+ W.P.(C) 9252/2026, CM APPLs. 43343/2026, 43344/2026,
43345/2026 & 43346/2026

RAJU SINGH AND ORS

.....Petitioners

Through: Mr. Ashish Pradhan, Mr. Aman
Mehrotra, Ms. Himani Katyal and Ms.
Rakhee Gupta, Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Sharang Dhulia, CGSC
with Mr. Chetan Jadon and Ms. Shruti
Gautam, Advs. for R1 to 3

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE VINOD KUMAR

JUDGMENT (ORAL)

%

18.08.2026**C. HARI SHANKAR, J.**

1. On 13 July 2026, we passed the following order as we were *prima facie* of the view that the Principal Bench of the Tribunal had no jurisdiction to deal with the *lis*:

1. The primary issue in this case is as to whether the OA filed by the petitioners was amenable to the territorial jurisdiction of the Principal Bench of the Tribunal.

2. The impugned judgment has rejected the OA on territorial jurisdiction as well as on merits.

Signature Not Verified

Digitally Signed By: AWP(C) 9252/2026
KUMAR
Signing Date: 24.08.2026
16:13:22

Page 1 of 5



2026:DHC:7010-DB



3. We have heard Mr. Ashish Pradhan, learned Counsel for the petitioners on the aspect of territorial jurisdiction.

4. Mr. Pradhan first drew our attention to the relief clause in the OA which we may reproduce as under:

“In light of the aforementioned facts and grounds, the applicants humbly pray that this Hon’ble Tribunal may be pleased to:

8.1 Direct the respondents to revise the final merit list for the Assistant Loco Pilot recruitment by preparing the CBAT scores shift-wise, giving due weightage to each shift separately as per the recruitment rules.

8.2 Order the normalization of CBAT marks for candidates appealing in different shifts, in accordance with the principles laid down for multi-shift examinations, to ensure fairness and transparency.

8.3 Quash and set aside the combined final CBAT result prepared by merging scores from two different shifts conducted with a 45-day gap, which is contrary to the recruitment policy that mandates a single-day CBAT examination.

8.4 Direct the respondents to provide equal opportunity to all candidates who faced technical glitches during the CBAT exam, including those who were arbitrarily excluded from the re-examination, by either reconducting the CBAT for all affected candidates or suitably adjusting the scores.

8.5 Grant any other relief deemed fit and proper in the interest of justice and equity.”

5. The relief clause in the OA, *ex facie*, indicates that the OA would not lie before the Principal Bench of the Tribunal.

6. The final merit list in this case was issued by the Railway Recruitment Board¹, Chandigarh. The final CBAT² result was also

¹ “RRB” hereinafter

² Computer Based Aptitude Test



2026:DHC:7010-DB



issued by the RRB, Chandigarh. Implementation of the directions sought in the OA would also have to be by the RRB Chandigarh, even if the OA succeeds.

7. Mr. Pradhan thereafter drew our attention to Instruction (xiii) of the Central Employment Notice issued by the RRB which reads thus:

“(xiii) Shortlisting of candidates for the Second Stage CBT shall be done RRB-wise at the rate of 15 (fifteen) times the vacancies for that RRB (may increase or decrease as per requirement of the Railway Administration). It will be based on their merit in CBT-1. Marks will be normalized in all the stages of exam that involve multiple shifts. The shortlisted candidates for CBT-2 shall be informed through official RRB websites as well as via SMS and email (to their registered mobile number and email ID) to download their E-call letters for appearing in CBT-2.”

8. Mr. Pradhan’s contention is that normalisation of the marks is one of the reliefs sought in this petition and that the instruction relating to normalisation of marks has been issued by RRB, Delhi.

9. To a pointed query from the Court, Mr. Pradhan acknowledges that the marks are actually computed by the concerned RRBs and that, therefore, implementation of the Instruction (xiii) in the CEN, which would also include the exercise of normalization if required, would also have to be by the concerned RRB. However, he submits that as the instruction itself has been issued by the Railway Board, which is situated at Delhi, the Principal Bench of the Tribunal would have jurisdiction.

10. This contention, *prima facie*, cannot sustain in view of the judgment of the Supreme Court in ***Kusum Ingots & Alloys Ltd. v. Union of India***³ in which the Supreme Court clearly held that issuance of the rule or statute in question does not constitute part of the cause of action and that it is only where the statute is implemented against a citizen that a cause of action arises. As such, *prima facie*, the fact that Instruction (xiii) in CEN may have been issued by the RRB Delhi cannot confer jurisdiction on the Principal Bench to adjudicate this matter.

11. Mr. Pradhan, at this juncture, seeks time to produce before the Court judicial authorities in support of his stand. He also submits that the Tribunal has been entertaining OAs in similar cases at Delhi.

12. To a query from the court as to whether any such OA has



2026:DHC:7010-DB



been finally decided, Mr. Pradhan submits that, to his knowledge, even though the OAs are pending, the issue of territorial jurisdiction stands decided.

13. Such a decision, to our mind, cannot constitute a precedent.

14. Nonetheless, at request of Mr. Pradhan, re-notify on 14 July 2026 as part-heard in the Supplementary List.

15. We have informed Mr. Pradhan, learned Counsel for the petitioners, that the matter would be taken up at first call and no pass over would be granted.”

2. Today, Mr. Ashish Pradhan, learned counsel for the petitioner appears and submits that if the respondents were not adhering to the principle of normalization appropriately, directions to the RRB could have been issued from Delhi.

3. In the first place, there is no prayer for issuance of any directions from any authority at Delhi.

4. With respect to normalization, the prayer is for the Tribunal to order normalization after the CBAT marks. Admittedly, the exercise of normalization is undertaken by the RRB, which is situated outside Delhi. No mandamus is, therefore, sought even on the aspect of normalization, to any authority situated in Delhi.

5. Besides, if the exercise of normalization has to be undertaken by the RRB, which is situated outside Delhi, the jurisdiction of the Principal Bench could not be forcibly invoked by stating that directions could be issued by the Railway Board situated in Delhi to the RRB, situated outside Delhi. If such an argument were to be accepted, every Original Application, irrespective of where the cause



2026:DHC:7010-DB



of action would arise, would be filed before the Principal Bench, on the argument that the Ministry could issue directions to the concerned Authorities and that the Ministry is situated in Delhi.

6. All parties to the *lis* are situated outside the territorial jurisdiction of the Principal Bench of the Tribunal.

7. In that view of the matter, we are constrained to observe that Mr. Pradhan has not been able to satisfy us that the OA would lie before the Tribunal situated at Delhi.

8. Accordingly, we dismiss this writ petition observing that the OA was wrongly filed before the Tribunal situated at Delhi.

9. Needless to say, it would be open to the petitioner to initiate fresh appropriate proceedings before the appropriate Bench of the Tribunal. In case that is done, the Tribunal would proceed uninfluenced by the order dated 13 April 2026 impugned in the present writ petition as the said order, being rendered by a forum which is *coram non judice*, cannot be said to be of any binding legal force or effect.

10. The writ petition is, accordingly, dismissed in the aforesaid terms.

C.HARI SHANKAR, J

VINOD KUMAR, J

AUGUST 18, 2026/yg

Signature Not Verified

Digitally Signed By: AWP(C) 9252/2026
KUMAR
Signing Date: 24.08.2026
16:13:22

Page 5 of 5