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

CNR No. DLHC010386802026

+ **W.P.(C) 12007/2026 & CM APPLs. 55703-55705/2026**

MOHAMMAD DANISH

.....Petitioner

Through: Mohd. Adnan & Mr. Priyeranjan
Kumar, Advocates.

versus

UNION PUBLIC SERVICE COMMISSION & ORS. Respondents

Through: Mrs. Avnish Ahlawat, SC with Mr.
Nitesh Kumar Singh and Ms. Aliza
Alam, Advocates for R-2 to 4.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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19.08.2026

1. The present writ petition seeks the following reliefs:

- "A. *Issue a writ of certiorari or other appropriate writ quashing, or reading down, the general instruction m Special Advertisement No. 51/2026 excluding visiting/guest-faculty experience, insofar as it operates as an absolute bar to consideration of the Petitioner's certified teaching experience as TGT/PGT;*
- B. *Issue a writ of mandamus directing Respondent No. 1, in consultation with Respondent Nos. 2-4, to examine the Petitioner's actual certified periods, posts and duties and pass a reasoned decision on his eligibility for Principal and/or Vice Principal without rejecting his experience solely due to the nomenclature "Guest Teacher";*
- C. *Direct Respondent Nos. 2-4 to consider and decide, by a speaking order, the Petitioner's claim for age relaxation under O.M. dated 11.06.2019 and any other applicable rule/instruction, on the basis of verified service days and continuity;*
- D. *Direct the Respondents to enable and accept the Petitioner's application provisionally, online through a special link or offline,*



before/within such time as this Hon'ble Court directs, and allow him to take the Combined Recruitment Test on 01.11.2026, subject to the final outcome and without creation of equity;

- E. *In the alternative, direct a time-bound decision on the representation and protect the Petitioner's right to submit an application for seven days after communication of that decision;*
- F. *In the alternative, if this Hon'ble Court concludes that the Central Administrative Tribunal is the appropriate court of first instance, grant liberty to the Petitioner to approach the Central Administrative Tribunal forthwith and direct that the interim/provisional-application protection granted by this Hon'ble Court shall continue for a period of at least seven working days, so that the Petitioner's candidature is not defeated solely on account of the closing deadline during transition between forums;.”*

2. At the outset, Mrs. Avnish Ahlawat, SC for Respondents 2 to 4, raises an objection to the maintainability of the present petition on the ground that the dispute raised by the Petitioner pertains to recruitment to posts under the Government of NCT of Delhi and falls within the jurisdiction of the Central Administrative Tribunal under the Administrative Tribunals Act, 1985. It is submitted that, in view of the judgment of the Supreme Court in ***L. Chandra Kumar v. Union of India & Ors.***,¹ the Petitioner, having an efficacious alternative remedy before the Tribunal, cannot invoke the writ jurisdiction of this Court.

3. In view of the above objection, counsel for the Petitioner seeks leave to withdraw the present petition with liberty to approach the Central Administrative Tribunal. Counsel for the Petitioner further submits that the Petitioner's representation dated 07th August, 2026, raising claims regarding consideration of his teaching experience and age relaxation, is pending before Respondent No. 1 and prays that the same be decided within a stipulated period. It is further prayed that the Petitioner's applications be

¹ (1997) 3 SCC 261.



kept pending for a limited period to enable him to avail of the remedy before the Central Administrative Tribunal.

4. Leave and liberty, as prayed for, are granted. The present petition is accordingly dismissed as withdrawn with liberty to the Petitioner to approach the Central Administrative Tribunal, in accordance with law.

5. The Petitioner's applications for the posts in question shall be kept pending for a period of seven working days from the date of uploading of this order so as to enable the Petitioner to approach the Central Administrative Tribunal and seek such interim relief as may be available to him in accordance with law.

6. Respondent No. 1 shall, in the meantime, take a decision on the Petitioner's representation dated 07th August, 2026, in accordance with law, within a period of four weeks from today, and communicate the same to the Petitioner.

7. In the event the Petitioner is aggrieved by the decision taken on the aforesaid representation, he shall be at liberty to challenge the same before the Central Administrative Tribunal, in accordance with law.

8. This Court has not commented on the merits of the case. All rights and contentions of the parties are left open.

9. Pending applications also stand disposed of.

SANJEEV NARULA, J

AUGUST 19, 2026

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