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

+ W.P.(C) 9834/2015 & CM APPL. 23725/2015

% *Judgment dated 7th December, 2015*

UNION OF INDIA Petitioner

Through : Mr.V.S.R. Krishna, Adv.

versus

NAVEEN KUMAR AND ORS. Respondents

Through : Mr.Ravinder Agarwal, Adv. for
respondents no.2, 5, 6, 8, 9 and 10.

+ W.P.(C) 9915/2015 & CM APPL. 24039/2015

UNION OF INDIA Petitioner

Through : Mr.V.S.R. Krishna, Adv.

versus

RUPESH KUMAR MANN & ORS Respondents

Through : Mr.Ravinder Agarwal, Adv for
respondents no.1 to 7.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G.S.SISTANI, J (ORAL)

1. Challenge in these writ petitions is to the order dated 1.5.2015 and 5.5.2015, respectively, passed by Central Administrative Tribunal wherein the O.A. filed by the respondents herein was allowed in part and a direction was issued to the petitioner herein to publish the answer key of the examination on its website and also supply copies of OMR sheets to the respondents.
2. While issuing notice, this Court had passed the following order:

“W. P. (C) 9834/2015 and 9915/2015

Challenge in these writ petitions is to the orders passed by the Central Administrative Tribunal dated 01.05.2015 and 05.05.2015 by which a direction has been issued to the petitioner herein to publish the answer key on their website and also supply OMR sheets to the applicants.

Mr. Krishna, learned counsel for the petitioner submits that publishing the answer key on the website was not prayed by the respondents appearing before the Tribunal. After some hearing in the matter, on instructions, Mr. Krishna submits that the copies of OMR Sheets and the answer keys can be provided to the respondents alone but petitioner has hesitation in publishing the same on the website.

Issue notice to show cause as to why the petition be not admitted, returnable on 7th December, 2015. Notice be issued by all modes including dasti and through counsel who appeared before the Tribunal.

**CM APPL. No. 23725/2015 (Stay) in W. P. (C) 9834/2015 and
CM APPL. No. 24039/2015 (Stay) in W. P. (C) 9915/2015**

Learned counsel for the petitioner prays that the operation of the impugned order be stayed. He points out that a contempt petition has been filed. Heard. Till the next date of hearing, the operation of the impugned order is stayed.

Copy of the order be given dasti under the signatures of Court Master, as prayed.”

3. Mr. Ravinder Agarwal, Advocate, enters appearance on behalf of respondents no.1 to 7 in W.P.(C) 9915/2015 and for respondents no.2, 5, 6, 8, 9 and 10 in W.P.(C) 9834/2015, and submits that the respondents would have no objection if the impugned orders of the Tribunal are

modified in terms of the order passed by this Court on 28.10.2015.

4. Accordingly, the writ petitions are allowed, binding the petitioner to the stand taken by them in the order dated 28.10.2015. Let copies of the OMR sheets and answer keys be provided by the petitioner only to the respondents within six weeks from today.
5. Writ petitions and applications stand disposed of in view of above.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

DECEMBER 07, 2015

msr