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

+ W.P.(C) 5994/2015, CM APPL. No. 10875/2015

JAMSHED ANSARI

..... Petitioner

Through : Petitioner in person.

versus

UPSC & ANR.

..... Respondents

Through : Mr. Naresh Kaushik, Advocate for UPSC.
Mr. Sanjay Jain, ASG with Mr. Jasmeet Singh,
CGSC, Mr. Srivats Kaushal and Mr. Sumit
Misra, Advocates.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

22.08.2016

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1. This petition by way of public interest litigation has been filed challenging UPSC examination notice dated 23.05.2015 on the ground of non-inclusion of 'Transgender / Third Gender' as a gender option in the application form for the Civil Services (Preliminary) Examination, 2015.

2. When the matter is taken up for consideration, it is brought to our notice by Shri Sanjay Jain, learned ASG that Interlocutory Application No. 4/2014 filed before the Supreme Court in W.P.(C) No.400/2012 titled *National Legal Services Authority Vs. Union of India & Ors.* seeking clarification that the judgment dated 15.04.2014 related to only trans-gender and did not include gay, lesbian or bisexual was disposed of by order dated 30.06.2016 observing that the said aspect was amply clarified in paragraphs 107 and 109 and other parts of the judgment dated 15.04.2014.

3. It is also submitted by the learned ASG that no steps could be taken pending the application for clarification to modify the Rules relating to Civil Services Examinations to incorporate 'Transgender / Third Gender' in the application forms and now that the issue has been clarified by order dated 30.06.2016, the appropriate steps would be taken for modification of the Rules in terms of the judgment of the Supreme Court in *National Legal Services Authority Vs. Union of India & Ors.* (supra).

4. In view of what has been stated and keeping in view that the examination pursuant to the impugned notification dated 23.05.2015 is already over, we dispose of the writ petition with a direction to the respondents to take necessary steps expeditiously in terms of the judgment of the Supreme Court in *National Legal Services Authority Vs. Union of India & Ors.* (supra).

5. The writ petition is disposed of.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

AUGUST 22, 2016

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