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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Delivered On: 27.07.2020

W.P.(C) 10730/2019, CM APPL. 44379/2019 & CM APPL. 14113/2020

MINISTRY OF LAW AND JUSTICE

.....Petitioner

versus

BHAVNESH SAINI & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Ravi Prakash, CGSC with Mr. Farmaan Ali,
Mr. Aman Malik and Mohammed Shahan Ulla,
Advocates

For the Respondents : Mr. Shanker Raju and Mr. Nilansh Gaur,
Advocates for R-1

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

JUDGMENT

SIDDHARTH MRIDUL, J. (via Video Conferencing)

1. The present writ petition has been instituted on behalf of the Ministry of Law and Justice, the petitioner herein, essentially aggrieved by the interim directions contained in the impugned order

dated 19.09.2019, passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'CAT') in O.A. No.2381/2019 and in particular paragraph 4 thereof, which reads as follows:-

“4. For this purpose, we intend to know whether the Search-cum-Selection Committee has undertaken the award of marks and grades on each of the factors, and if so, a copy of the same be placed before us. We grant two weeks' time to the learned counsel for the respondents for furnishing the same.”

2. It is an admitted position that, during the pendency of the present writ petition, in response to an RTI application submitted on behalf of the respondent No.1, it has been stated by the Ministry of Law and Justice that, “no such information is available” with the official respondent.

3. Mr. Ravi Prakash, learned Central Government Standing Counsel appearing on behalf of the petitioner further states that, there is no requirement in law to award marks by the Selection Committee to the candidates for the purposes of comparing comparative merits and, thus, no such marks have been awarded and consequently maintained.

4. Mr. Shanker Raju, learned counsel appearing on behalf of the respondents would urge that, in view of the foregoing, the present writ petition has been rendered infructuous.

5. Having heard learned counsel appearing on behalf of the parties, we are of the considered view that, the only course of action that commends itself is to direct the CAT, to commence hearing of O.A. No.2381/2019, instituted on behalf of the respondents herein, beginning from 04.08.2020 and dispose of the same expeditiously and preferably within a period of three months from that date, without granting any unwarranted adjournments to the parties.

6. No further directions are called for.

7. With the above direction, the present petition is disposed of. The pending applications also stand disposed of.

8. Needless to state that, we have not expressed any opinion on the merits of the case and parties are at liberty to address all legal and factual arguments, as may be available to them in law, before the learned CAT.

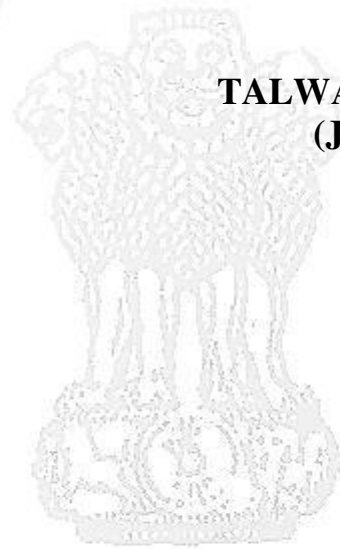
9. A copy of this judgment be sent to the Principal Registrar, CAT for necessary information and compliance. A copy of this judgment be

provided to the learned counsel appearing on behalf of the parties electronically and be also uploaded on the website of this Court forthwith.

**SIDDHARTH MRIDUL
(JUDGE)**

**TALWANT SINGH
(JUDGE)**

JULY 27, 2020
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