



\$~29

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

% **Date of decision: 21.01.2022**

+ **W.P.(C) 4021/2020 and CM No.14425/2020**

SUDHANSHU SHEKHAR SINGH AND ORS. Petitioners

Through Mr Ankur Chhibber, Adv.

versus

UNION OF INDIA & ANR. Respondents

Through Mr Harish Vaidyanathan Shankar,
CGSC with Ms Bushra Kazim, Mr
Karan Chhibber and Mr Zeeshan
Rizvi, Advs.

CORAM:

HON'BLE MR JUSTICE RAJIV SHAKDHER

HON'BLE MR JUSTICE TALWANT SINGH

[Court hearing convened *via* video-conferencing on account of COVID-19]

RAJIV SHAKDHER, J. (ORAL):-

1. On the previous date, i.e., 19.01.2022, the following order was passed:

“1. Mr Ankur Chhibber, who appears on behalf of the petitioners, says that he needs to take instructions, as to whether the petitioners before the court would like to pursue a review petition, as the relief sought in prayer clause (iii) in the subject O.A. [i.e., OA No. 619/2020], preferred before the Central Administrative Tribunal has not been addressed in the impugned order. The said prayer reads as follows:-

“(iii) pass an order directing the respondent no.2 to grant Grace Marks up to 10 in the marginally failed papers in one or two subjects in the exams, including supplementary Exam2018, conducted under outgoing Exam-2006 pattern to the

W.P.(C) 4021/2020

1/3



deserving applicants to declare them pass in the Exam in toto, after admissible grace marks are granted reach to the pass marks in the subject's."

1.1. As would be evident, the petitioners seek grace marks, inter alia, for supplementary exam 2018, which was conducted under the 2006 exam pattern.

1.2. Concededly, in 2020, this pattern has been changed.

2. To be noted, the petitioners sat for the examination for the post of Junior Accounts Officer, which has now been redesignated as Assistant Accounts Officer.

3. At the request of Mr. Chhibber, list the matter for directions on 21.01.2022."

2. Mr Ankur Chhibber, who appears on behalf of the petitioners, says that he has received instructions in the matter pursuant to our last order.

2.1. Mr Chhibber says that the petitioners will file a review petition before the Central Administrative Tribunal [in short, "the Tribunal"], to have the Tribunal deal with the relief sought in prayer clause (iii) of the subject O.A. [i.e., OA No.619/2020].

2.2. Mr Harish Vaidyanathan Shankar, who appears on behalf of the respondents, cannot but accept the fact that the relief sought by the petitioners in prayer clause (iii) of the OA has not been dealt with in the impugned order of the Tribunal.

3. In these circumstances, Mr Chhibber seeks leave to withdraw the above-captioned writ petition.

4. The writ petition is dismissed as withdrawn, with liberty as prayed for.



4.1. If a review petition is filed by the petitioner within the next two weeks, the same will be dealt with by the Tribunal, keeping in mind the aspect referred to hereinabove i.e., prayer clause (iii) of the O.A. filed by the petitioners.

5. Consequently, pending application shall also stand closed.

RAJIV SHAKDHER, J

TALWANT SINGH, J

JANUARY 21, 2022/pmc

Click here to check corrigendum, if any