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

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Judgment delivered on: 22.09.2022

+ W.P.(C) 13256/2022 & CM APPL. 40158/2022

DEVENDER KUMAR

..... Petitioner

versus

UNION PUBLIC SERVICE COMMISSION Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Bajinder Singh, Advocate.

For the Respondent: Mr. Naresh Kaushik, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 09.09.2022 whereby the request of the petitioner for grant of an interim relief has been declined by the Administrative Tribunal.

2. Petitioner had applied for the post of Assistant Director, Ministry of Tourism. The experience stipulated by the advertisement is:-

“Three years' experience in the field of public relations or publicity or administrative work including two years' experience in the field of tourism and hospitality in the



*Central Government or State Government or Union territories or Public Sector Undertaking or Universities or recognised research institutions or semi-government or statutory or autonomous organisations or recognised educational institutions or listed private organisations. **DESIRABLE:** Diploma or Certificate of foreign language course (other than English) for a minimum period of six months.”*

3. The contention of the petitioner is that petitioner has the requisite experience in administrative work and since he has been serving in India Tourism Development Corporation and has an experience of over four years and 9 months, he is qualified and his work experience satisfies the experience requirement for the said post.
4. On 13.09.2022, noticing that the interview of selection candidate was underway and had commenced on 12.09.2022 and was to conclude on 14.09.2022, without prejudice to the rights and contentions of the parties, respondent was directed to interview the petitioner also and produce the rank/ grading of the Interview Board in a sealed cover.
5. Sealed cover has been produced. The respondent has produced two documents, one is the recommended list of 12 candidates and the other, a reserved list.
6. Petitioner, who had applied in the OBC Category, has not figured in the recommended list. It is observed that petitioner has not even made it to serial No.1 in the reserved list for OBC Category and



there are more candidates above the petitioner in the reserved list. More than even the number of seats in the OBC Category, which are two.

7. In view of the fact that petitioner has not even made it in the order of merit for the two OBC posts, we are of the view that no further orders are called for in the petition.

8. The petition is accordingly disposed of.

9. The question of the eligibility of the petitioner is left open.

10. The result, which was produced in a sealed cover, is returned to learned counsel appearing for the respondent.

SANJEEV SACHDEVA, J

TUSHAR RAO GEDELA, J

SEPTEMBER 22, 2022

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