

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-2145-2023
Date of Decision: 03.02.2023.

KENDRIYA VIDYALAYA SANGATHAN ...PETITIONER

VS

UNION OF INDIA AND OTHERS ...RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE M.S. RAMACHANDRA RAO
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Harsh Aggarwal, Advocate
for the petitioner.

Mr. Himanshu Malik, Advocate
for respondent No.1-UI

M.S. RAMACHANDRA RAO, J. (ORAL)

This Writ Petition has been filed for challenging the interim order dated 02.01.2023 passed by the Central Administrative Tribunal, Chandigarh (for short 'the Tribunal') in M.A. No.2366 of 2022 vide which the Tribunal had directed the Writ Petitioner to accept the candidature of respondents No.2 to 9 provisionally and directed that their results should not be declared and be kept in sealed cover. It also made clear that its order would not create any right in favour of the said respondents.

Learned counsel for the petitioner contends that respondents No. 2 to 9 are over aged and they could not have been permitted by the Tribunal to appear in the examination for the post of Primary Teacher in the Writ Petitioner-Institution and that grave prejudice has been caused to the

petitioner, if they are allowed to take the exam though their result is directed to be withheld.

Certain reasons have been assigned by the Tribunal in support of the said interim order.

In any event, the operative portion of the order passed by the Tribunal directs that the candidature of the above respondents has to be accepted only provisionally and that their result may not be declared and be kept in sealed cover.

Therefore, we do not feel that any prejudice has been caused to the petitioner by the said directions since the Tribunal had not stayed holding of the qualifying examination by it.

Therefore, we find no reason to interfere with the order passed by the Tribunal.

In view of the above, the Writ Petition is accordingly dismissed.

(M.S. RAMACHANDRA RAO)
JUDGE

(SUKHVINDER KAUR)
JUDGE

03.02.2023
priyanka

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No