



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

% *Date of decision: August 8, 2023*

+ W.P.(C) 2257/2023

SANJEEV KUMAR

..... Petitioner

Through: In person.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Kamal Kant Jha, Sr. Panel
Counsel, Govt. of India with
Mr. Rishesh Mani Tripathi and
Mr. Avinash Singh, Advts.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

V. KAMESWAR RAO, J. (ORAL)

REVIEW PET. 210/2023

1. This review petition has been filed by the petitioner seeking review of order dated March 7, 2023 passed by this Court in the above writ petition. Vide the said order we have upheld the order passed by the Tribunal wherein the Tribunal dismissed the Original Application, ('OA', for short) on the ground of limitation.
2. The review petition has been filed by giving reference to OA 2761/2009 filed by Manoj Kumar Baranwal and Ors., wherein the petitioner was one of the applicants. The said OA was dismissed by the Tribunal on July 4, 2011. The petitioner who appears in person states that the said order passed by the Tribunal needs to be reviewed.



3. On a specific query to the petitioner; whether any reference was made to the earlier OA being O.A. No. 2761/2009, filed before the Tribunal, he states that, he shall file the copy of that OA. On a further query, whether any reference to the OA has been made in the writ petition which was dismissed vide order dated March 7, 2023, he states that, he has mentioned about the same in the present review petition. According to him by oversight the reference could not be made in the writ petition. It is clear that the petitioner has not made any reference to the OA 2761/2009 or the order passed by the Tribunal in the said OA, which was finally dismissed by the Tribunal on July 4, 2011.

4. It is a material fact which has not been mentioned in the writ petition. The subject matter of the challenge in OA 2761/2009 was also with regard to Limited Competitive Departmental Examination – 2005 conducted by the UPSC. It is only in this review petition that a reference has been made to the Original Application which was dismissed on July 4, 2011 on the ground that the said judgment needs to be reviewed. Surely, the same cannot be reviewed when no reference was made in the petition, which has been filed against order dated March 7, 2023 that too in a different OA being 64/2022.

5. The OA, wherein the impugned order is passed being OA 64/2022 was as such not maintainable, so also the writ petition wherein the order of which review is being sought was passed. The review petition is dismissed.

6. Since the petitioner appears in person, we refrain from imposing any cost while dismissing the review petition.



CM APPL. 40552/2023

Dismissed as infructuous.

V. KAMESWAR RAO, J

ANOOP KUMAR MENDIRATTA, J

AUGUST 8, 2023/jg

Signature Not Verified

Digitally Signed By ASHEESH
KUMAR YADA
Signing Date: 16.08.2023
19:43:00

W.P.(C) 2257/2023

Page 3