



\$~66

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

+ **W.P.(C) 519/2024**

**RAJEEV KUMAR**

..... Petitioner

Through: Ms. Raja Choudhary, Mr. Raj  
Shekhar and Mr. Mritunjay Mishra,  
Advocates

versus

**UNION OF INDIA & ORS.**

..... Respondents

Through: Mr. R. V. Sinha, Advocate  
Mr. Naresh Kaushik, Mr. Anand  
Singh, Mr. Shubham Dwivedi,  
Advocates for UPSC

**CORAM:**

**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

**ORDER**

**15.01.2024**

%

**(The proceeding has been conducted through Hybrid Mode)**

**CM APPL. 2335/2024**

1. Exemption allowed subject to just exceptions
2. The application stands disposed of.

**W.P.(C) 519/2024**

3. This is a petition under Article 226 of the Constitution of India seeking issuance of writ of quo warranto or any other appropriate writ against the respondents, particularly respondents nos. 3 & 4.
4. According to the learned counsel appearing for the petitioner, the certificate showing respondent nos.3 and 4 as Scheduled Caste, in respect of "Tanti" community issued by the Government of Bihar does not come within the purview of Schedule Castes candidates in the Central List for the purposes of getting the benefit in the Civil Service Examination. Learned counsel submit that though the

W.P.(C) 519/2024

1



representation by way of email was sent to the UPSC, yet, there was no reply there on. Learned counsel submits that in case it is found that the respondent Nos. 3 and 4 do not have any valid certificate, this Court may issue quo warranto directing the respondent Nos. 3 and 4 to explain on what basis they have been able to or are on the verge of getting appointment to the public post.

5. Mr. Sinha, learned counsel appearing for the respondent No.1 submits that there are three fold objections to the present petition:

- (i) That the petitioner has no locus to file the present petition on the basis that he was not a candidate who sat in the same Civil Services Examination 2021 as respondent Nos. 3 and 4.
- (ii) That the issue raised by the petitioner would be a subject matter of the jurisdiction of learned CAT, Principal Bench, New Delhi.
- (iii) He also submits that the prayers in the present petition are akin to those raised only in the PIL and therefore the present petition cannot be considered by this Court.

6. Be that as it may.

7. Since there is a representation given by the petitioner, learned counsel appearing for the petitioner submits that he would be satisfied in case a direction to consider representation at the earliest by the DoPT is passed.

8. Mr. Kaushik, learned counsel appearing for the respondent No.2 submits that the email received by the UPSC has already been



forwarded to the appropriate nodal authority, that is, the DOPT and it is now for the DoPT to respond.

9. Let the representation / email dated 12.03.2023 be considered by the competent authority in the DoPT and dealt with in accordance with law within a period of 08 weeks from today.

10. The aforesaid direction is without prejudice to rights, contentions and objections of the respondent, which are kept reserved and open.

11. With the aforesaid directions, the petition is disposed of.

**TUSHAR RAO GEDELA, J**

**JANUARY 15, 2024/ms**