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

+ **CONT.CAS(C) 666/2020 & CM APPL. 29181/2020**

NAVNEET KAUR & ORS.

..... Petitioners

Through: Mr. Arpit Shukla with Ms. Gargi
Srivastava, Advocates.
(M): 9871431988

versus

PRADEEP KUMAR JOSHI, CHAIRMAN, UNION PUBLIC

SERVICE COMMISSION & ANR.

..... Respondents

Through: Mr. Vardhman Kaushik with
Mr. Dhruv Joshi and Mr. Mayank
Sharma, Advocates for respondent no.
1/UPSC.
Mr. Niraj Kumar, Senior Central
Govt. Counsel for respondent no. 2.
(M): 9810020341
Email: advocateniraj2009@gmail.com

+ **CONT.CAS(C) 668/2020**

ABHIJEET ALKESH

..... Petitioner

Through: Mr. Arpit Shukla with Ms. Gargi
Srivastava, Advocates.
(M): 9871431988

versus

PRADEEP KUMAR JOSHI, CHAIRMAN UNION PUBLIC

SERVICE COMMISSION & ANR.

..... Respondents

Through: Mr. Vardhman Kaushik with
Mr. Dhruv Joshi and Mr. Mayank



Sharma, Advocates for respondent no. 1/UPSC.

Mr. Niraj Kumar, Senior Central Govt. Counsel for respondent no. 2.
(M): 9810020341

Email: advocateniraj2009@gmail.com

Mr. Neeraj, SPC with Mr. Vedansh Anand, Govt. Pleader, Mr. Rudra Paliwal, Mr. Mahesh Kumar Rathore and Mr. Sanjay Pal, Advocates for respondent/UOI.

(M): 8700015764

Email: advrathoremahesh@gmail.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
22.04.2024

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1. Learned counsel appearing for the respondents submits that the respondents had approached the Supreme Court in *SLP (Civil) Nos. 441-445/2021* in the case titled as ***“Union Public Service Commission Vs. Saumya Pandey & Ors..*** He submits that by order dated 07th March, 2024, the Supreme Court has disposed of the said appeal with clear directions to the respondents to proceed with determining the eligibility, entitlement and placement of the candidates belonging to the Economically Weaker Sections (“EWS”) of society, as per their merit. He has handed over copy of the order dated 07th March, 2024 passed by the Supreme Court, which reads as under:-

“1. Leave granted.

2. The Union Public Service Commission (in short, “UPSC”) is in appeal against the judgment dated 11.09.2020, passed by a Division



Bench of the High Court of Delhi, in terms whereof, the order dated 13.01.2020 of the Central Administrative Tribunal (in short, "Tribunal") in a batch of Original Applications filed by the candidates belonging to Economically Weaker Sections of society, was upheld, whereunder the date of issuance of EWS Certificates was extended from 01.08.2019 to 16.08.2019, being the last date to upload DAF-1.

3. *We have heard learned senior counsel for the appellant as well as learned counsel for the respondents and carefully perused the material placed on record.*

4. *We find from the impugned order passed by the Tribunal as well as the High Court that the date of issuance of EWS Certificates was extended for a few days in the peculiar facts and circumstances of these cases and as a one time concession, considering that year 2019 was the first year when the benefit of reservation was extended to the candidates belonging to the economically weaker sections of the society.*

5. *It goes without saying that the impugned order, having been passed in a peculiar fact situation, shall not be treated as binding precedent in the future and the UPSC shall be well within its right to insist for the sanctity of the cut-off date.*

6. *The UPSC and the Department of Personnel and Training (DoPT) shall now accordingly proceed to determine the eligibility, entitlement and placement of the candidates belonging to economically weaker sections of society, as per their merit.*

7. *The instant civil appeals are disposed of in the above terms.*

8. *IA No. 36757/2021 and IA No. 33792/2021 are also disposed of in terms of the above order."*

2. Learned counsel appearing for the respondents submits that the respondents have already taken steps to process the case of the petitioners and to determine their eligibility, entitlement and placement, in terms of the order passed by the Supreme Court.

3. Learned counsel appearing for the respondents submits that the needful shall be done expeditiously within a period of three weeks from today.

4. The respondents are bound by their statement with respect to



finalising the case of the petitioners, who have qualified, within a period of three weeks from today.

5. In view of the aforesaid, no further orders are required to be passed by this Court.

6. However, liberty is granted to the petitioners to revive the present petition, in case the order dated 07th March, 2024 passed by the Supreme Court is not complied by the respondents, in its letter and spirit.

7. The present petitions are accordingly disposed of.

MINI PUSHKARNA, J

APRIL 22, 2024

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