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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LPA 673/2023 and CM Nos.51130/2023, 51131/2023, 51132/2023, 51133/2023, 51134/2023, 65277/2023 & 65278/2023**

GEETA SHARMA Appellant
Through: Mr Upamanyu Sharma, Advocate.
versus
PUBLIC ENTERPRISES SELECTION
BOARD & ORS. Respondents
Through: Ms Manisha Agrawal Narain, CGSC
with Mr Sandeep Singh Somaria, Ms
Shivangi Gumber and Ms Khushi
Mangla, Advocates for R-1 & 4.
Mr Amit Meharia, Mr Abinash
Agarwal and Ms Poonam Shekawat,
Advocates for R-2/TCIL.
Mr Sandeep Sethi, Senior Advocate
with Ms Mahima Kapur and Ms Isha
Virmani, Advocates for R-3.
Ms Meenakshi Midha, Ms Samiksha
Gupta and Mr Aditya Parashar,
Advocates for R-3.

AND

+ **LPA 674/2023 and CM Nos.51139/2023, 51140/2023, 51141/2023, 51142/2023, 65281/2023 and 65282/2023**

GEETA SHARMA Appellant
Through: Mr Upamanyu Sharma, Advocate.
versus
PUBLIC ENTERPRISES SELECTION
BOARD & ORS. Respondents
Through: Ms Manisha Agrawal Narain, CGSC
with Mr Sandeep Singh Somaria, Ms
Shivangi Gumber and Ms Khushi
Mangla, Advocates for R-1 & 4.
Mr Sandeep Sethi, Senior Advocate



with Mr Sanjay Kapur and Mr Devesh Dubey, Advocates for R-2/BEL and R-3/ Mr S. Damodar Bhattad.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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01.02.2024

1. The appellant has filed the present appeals impugning a common order dated 07.08.2023 (hereafter '**the impugned order**') passed by the learned Single Judge in W.P.(C) 15768/2022 and W.P.(C) 15784/2022.
2. The appellant, who is the petitioner in the above-captioned petitions, seeks to challenge the impugned order on the ground that the questions referred to by the learned Single Judge for consideration by a larger bench is erroneous and that the submissions of the counsel for the appellant/petitioner have not been correctly noted in the impugned order
3. The learned Single Judge has reservations regarding the judgment rendered by another Single Judge in W.P.(C) 12516/2022 captioned *Geeta Sharma v. Public Enterprises Selection Board & Anr.* and thus, had referred the controversy to a larger bench. It is also material to note that the said petition, W.P.(C) 12516/2022 was also filed by the petitioner and the petitioner had succeeded in assailing the procedure adopted by the Public Enterprises Selection Board for shortlisting of candidates for the post of Director (Finance).
4. According to the appellant, the said decision was required to be followed by the learned Single Judge as well.
5. We find no merit in the petitioner's contention that the learned Single



Judge had erred in referring the questions to the larger bench.

6. We also find no necessity to address the appellant's grievance that the contentions advanced on her behalf have not been correctly noted. This is because the writ petitions preferred by the appellant (petitioner) are now placed before this Bench and are required to be considered on merits. The appellant is not precluded from raising all contentions in those petitions. Public Enterprises Selection Board has also preferred an appeal against the decision of the learned Single Judge in W.P.(C) 12516/2022 and therefore, the appellant would have full opportunity to contest the same as well.

7. In view of the above, the present appeals are disposed of.

8. It is clarified that all rights and contentions of the parties are reserved.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

FEBRUARY 01, 2024

RK (petitioner)