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

+ **W.P.(C) 13039/2024**

MANISH SAHU

.....Petitioner

Through: Mr. Varun Thakur, Mr. Ram Karan
and Mr.V.V. Gautam, Advocates.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Ms. Soumava Karmakar, SPC with
Mr. Nishant Singh and Mr. Amit Kumar Rana,
Advocates for UOI.
Mr. Amartya A. Sharan and Ms. Saumya Dwivedi,
Advocates for R-2/NESTS.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

18.09.2024

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1. This writ petition has been preferred on behalf of the Petitioner under Articles 226 and 227 of the Constitution of India seeking a limited relief that his representation dated 28.08.2024 preferred before Respondent No. 2 be considered in a time bound manner.
2. Facts to the extent necessary are that on 05.07.2023, Respondent No. 2 issued a Notification inviting online application forms for EMRS (Eklavya Model Residential School)-2023 for various posts of teaching and non-teaching staff. 154 posts were notified for PGT Geography teacher posts whereby 64 posts were for UR, 41 for OBC, 15 for EWS, 23 for SC and 11 for ST candidates.



3. On 28.07.2023, Petitioner applied against the OBC category for the post of PGT-Geography through online mode. The online examination was conducted by Respondent No. 2 on 16.12.2023 across India at the various centres and was in the form of multiple choice questions (offline mode). Between December, 2023 to January, 2024, Respondent No. 2 sent a link for candidates to download their respective OMR sheets. Thereafter, Respondent No. 2 published the answer keys on 09.01.2024.

4. As per the averments in the writ petition, the answer key and the OMR sheets filled by the Petitioner show that he has secured 83 marks and the cut off for OBC category was 77.25 marks, however, learned counsel for the Petitioner during the course of hearing clarifies that the cut off marks for the OBC category was 77 marks. After the final result was published on 22.01.2024, Petitioner found that he was not in the list of selected candidates and he therefore made a representation to Respondent No. 2 on 28.08.2024 which is pending till date.

5. Issue notice.

6. Ms. Soumava Karmakar, learned SPC accepts notice on behalf of Respondent No. 1.

7. Mr. Amartya A. Sharan, learned counsel accepts notice on behalf of Respondent No. 2.

8. Considering the limited relief sought in the present petition and without entering into merits of the case, this writ petition is disposed of directing Respondent No. 2 to decide the representation made by the Petitioner on 28.08.2024 within four weeks from today. The order passed shall be a reasoned and speaking order and will be communicated to the Petitioner within one week from the date of decision and Petitioner will be at



liberty to take recourse to legal remedies in case of any surviving grievance.

9. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

SEPTEMBER 18, 2024/shivam