



\$~65

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 14888/2024 & CM APPL. 62451/2024**
UNION OF INDIA AND ORSPetitioners
Through: Ms. Garima Sachdeva, SPC
with Ms. Divyanshi Maurya, Adv.
versus
DEEPAK KUMAR RANARespondent
Through:

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

JUDGMENT (ORAL)

% **23.10.2024**

C.HARI SHANKAR, J.

1. The impugned order passed by the learned Central Administrative Tribunal¹ reads thus:

“The applicant had applied against the Advertisement No. Phase-X/2022/Selection Post issued on 12.05.2022 by the Staff Selection Commission, i.e. Respondent No. 2. The OA is filed seeking the following relief:

- i) To quash and set aside the impugned Letter No. 07/62/2022 dated September 2023 (A-1) to the extent the name of applicant has not been included in the said letter/list and direct respondents to include the name of applicant in the said list of shortlisted candidates circulated vide Letter No. 07/62/2022 dated September 2023 and appoint him to the post of Section Officer (Horticulture), Post Code NRI 7522 advertisement Phase- X/2022 with all consequential benefits.
- ii) To declare that action of respondents in ignoring the candidature of applicant for appointment to the post of Section Officer (Horticulture), Post Code NRI 7522 advertisement Phase-X/2022 as illegal and arbitrary

Signature Not Verified¹ “the learned Tribunal”, hereinafter

Digitally Signed
By: HARVINDER KAUR
BHATIA
Signing Date: 25.10.2024
16:54:27

W.P.(C) 14888/2024

Page 1 of 3



and issue appropriate directions for appointment of applicant to the said post of Section Officer (Horticulture), Post Code NRI 7522 advertisement Phase- X/2022 with all consequential benefits.

iii) To allow the OA with exemplary cost.

iv) Any other orders may also be passed as this Hon'ble Tribunal may deem fit and proper in the existing facts and circumstances of the case.

2. Learned counsel for the applicant states that during the pendency of this OA, the candidature of the applicant has been accepted by the respondents and since then, the applicant has been declared selected by the respondents. Consequently, he was called for Document Verification on 26.12.2023. He states that post the Document Verification the respondents shall take the candidature of the applicant to its logical conclusion and the OA can be decided by giving a time bound direction to the respondents to complete this exercise.

2. Learned counsel for the respondents states that the candidature of the applicant was withheld as he had not provided the necessary document/documents. However, since subsequently he has provided the same, he has already been called for Document Verification on the above mentioned date.

3. In view of what has been transpired and recorded above, the OA is disposed of with a direction to the respondents that the candidature of the applicant shall be taken to its logical conclusion within a period of eight weeks from the date of receipt of a certified copy of this order and the offer of appointment be extended to the applicant consequently as per rules. The applicant would be entitled to notional benefits pursuant to his selection.

4. There shall be no order as to costs.”

2. A bare reading of the impugned order reveals that the order has been passed in terms of the statement made by learned Counsel for the petitioners as recorded in para 2 of the impugned order.

3. Ms. Sachdeva, learned Counsel for the petitioners submits that the order has been passed because the petitioners were not properly



represented.

4. This Court is inundated with petitions challenging the orders passed by the learned Tribunal. We sincerely doubt whether, when the Supreme Court passed the judgment in *L. Chandra Kumar v UOI*², it ever envisioned that against orders such as the one which is under challenge in the present case, writ petitions would be filed.

5. Even as of today, we have a list of nearly 100 matters.

6. We are constrained to impose nominal costs in this matter, in order to convey the message that such challenges would not be easily tolerated.

7. For the aforesaid reasons, the impugned order being an order passed on consent on the basis of statement made by learned Counsel for the petitioners, cannot be challenged.

8. Accordingly, this writ petition is dismissed with cost of Rs.5,000/- to be paid by way of cross-cheque favouring the Delhi High Court Legal Services Committee, to be deposited with the Registry of this Court within two weeks from today.

C.HARI SHANKAR, J.

DR. SUDHIR KUMAR JAIN, J.

OCTOBER 23, 2024/N

[Click here to check corrigendum, if any](#)