



\$~52

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

+ **W.P.(C) 16101/2024 & CM APPL. 67678/2024**

M. C. KRISHNA

.....Petitioner

Through: Ms. Kumari Archana, Mr. Yomesh
Dutt Sharma and Mr. Satyendra
Singh, Advocates

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Sandeep Kumar Mahapatra,
CGSC with Mr. Tribhuvan and Mr.
Ishan Malhotra, Advocates for R-1
Ms. Monica Benjamin, SSC for R-2
Mr. Anurag Ojha, Senior Standing
Counsel with Mr. Subham Kumar and
Mr. Dipak Raj, Advocates for R-3

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

21.11.2024

%

CM APPL. 67679/2024 (delay of 15 days)

1. This is an application filed by the petitioner seeking condonation of delay in re-filing the petition.
2. For the reasons stated in the application, the same is allowed.
3. The application stands disposed of.

W.P.(C) 16101/2024

4. The petitioner has filed the present petition *inter alia* challenging the



petitioner's result of an oral examination dated 28.05.2019. The petitioner had appeared for the Customs Brokers examination in the year 2019, for securing the Customs Brokers License under the Customs Brokers Licensing Regulations, 2018 (CBLR). The examination was conducted in two stages – a written examination and an oral examination. The petitioner had secured more than 60% marks in the written examination and therefore, was admitted to the next stage, being the oral examination. However, the petitioner did not clear the oral examination and was therefore not selected.

5. The petitioner states that by virtue of the directions issued by this Court in judgments dated 20.07.2023 and 24.07.2023 rendered in W.P.(C) 9591/2023 and W.P.(C) 2143/2023 respectively, the candidates who had secured more than 50% marks in the oral examination were entitled to be declared as successful. In the aforesaid context, the petitioner had filed an application dated 09.01.2024 under the Right to Information Act, 2005 (hereafter *RTI Act*) seeking information regarding his marks obtained in the oral examination. In response to the said application filed under RTI Act, it was informed that the petitioner had secured 40% marks in the oral examination. However, no documentary evidence was produced with regard to the same. It is in this context, that the petitioner has filed the present petition praying that he be declared as successful in the said examination. Clearly, no such directions can be issued.

6. No material has been placed on record which would clearly suggest or lay the foundation for the challenge to the marks awarded to the petitioner in the oral examination.

7. In view of the above, we find no grounds to allow the present petition. The petition is unmerited and is accordingly dismissed.



8. Pending application also stands disposed of.

VIBHU BAKHRU, J

SWARANA KANTA SHARMA, J

NOVEMBER 21, 2024

ns

Click here to check corrigendum, if any