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

+ **W.P.(C) 5748/2025**

VIPIN NAAGAR AND ORS

.....Petitioners

Through: Mr. Samar Bansal, Mr. Vijay Kasana, Mr. Aditya Mishra, Mr. Chirag Verma & Mr. Vishal Chaudhary, Advocates.

versus

**UNION PUBLIC SERVICE
COMMISSION AND ORS**

.....Respondents

Through: Mr. Ravinder Agarwal, Mr. Manish Kumar Singh & Mr. Vasu Agarwal, Advocates for UPSC.
Mrs. Avnish Ahlawat, Standing Counsel for GNCTD with Mr. N. K. Singh, Ms. Laavanya Kaushik, Ms. Aliza Alam, Mr. Mohnish Sehrawat and Mr. Amitoj Chadha, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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01.05.2025

CM APPL. 26191/2025 (exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 5748/2025 and CM APPLs. 26192/2025, 26193/2025

1. The petitioners are all Advocates. They have filed this petition under Article 226 of the Constitution of India in respect of an ongoing



recruitment for the post of Assistant Public Prosecutor in the Directorate of Prosecution of the Government of National Capital of Delhi [“GNCTD”].

2. It is clear from the contents of CM No. 26193/2025 dated 29.04.2025 that the petitioners are aware that the jurisdictional forum for agitation of grievances related to the said recruitment is before the learned Central Administrative Tribunal [“Tribunal”]. The writ petition is nonetheless pressed on the ground that the portal for applications will be closed today.

3. The petitioners have not chosen to approach the jurisdictional forum, and have approached the Court on the last day. It is now submitted that if the Court does not grant some relief, it will too late by the time the petitioners can approach the Tribunal. The Court is thus faced with a fait accompli, which is highly unsatisfactory.

4. Mr. Samar Bansal, learned counsel for the petitioners, relies upon an order of the Tribunal dated 25.04.2025 in the case of similarly placed candidates, by which UPSC was directed to accept the applications of the candidates and issue them admit cards, facilitating their participation in the recruitment exercise provisionally, subject to the outcome of the Original Application, and without creation of any special equities.

5. Ms. Aliza Alam, learned counsel for GNCTD, states that by an order dated 29.04.2025, this has been modified and the applicants therein have been permitted to file offline applications.

6. Mr. Ravinder Agarwal, learned counsel for UPSC, also enters appearance and submits that if the petitioners move the Tribunal by tomorrow, they will not be placed in a position worse than other similarly



placed candidates whose petitions are pending before the Tribunal, merely because the last date for filing of the online form mentioned in the advertisement has already passed.

7. The writ petition, alongwith the pending applications, is disposed of on this basis.

PRATEEK JALAN, J

MAY 1, 2025
UK/JM/