



2025:DHC:5743-DB



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 15.07.2025

+ W.P.(C) 9403/2025

DEPARTMENT OF PERSONNEL AND TRAINING & ANR.

.....Petitioners

Through: Mr. Vijay Joshi, Mr. Kuldeep
Singh, Advs.

Versus

DALIP KUMAR & ORS.

.....Respondents

Through: Mr. Ankur Chhibber, Mr.
Nikunj Arora, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (Oral)

W.P.(C) 9403/2025 & CM APPL. 39686/2025 (Stay)

1. This petition has been filed by the petitioners, challenging the Order dated 07.05.2025 passed by learned Central Administrative Tribunal, Principal Bench, New Delhi, (hereinafter referred to as the, 'Tribunal') in O.A. No. 3783 of 2024, titled ***Dalip Kumar & Ors. v. Department of Personnel and Training & Ors.***, whereby the learned Tribunal directed as under:-

"3. The officers, Sh. Rajiv Saini (Joint Director, SSC) & Sh. Ashesh Chaudhary (US, SSC, NR), who appear in the court along with the necessary records. They shall remain present with the necessary records on the next date of hearing as well. The officers, who



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present in the court submits that the proceedings as sought for, are in the e-mode with the respondents and, therefore, it may not be feasible for them to bring the same. The respondents are suggested to take a print out of the same, get it attested and produce in a sealed cover.”

2. The respondent nos. 1 to 66 have approached the learned Tribunal by filing the above O.A., contending therein that they are working as Personal Assistant (Stenographer Grade ‘C’/Stenographer Grade ‘D’) with the Government of India. Pursuant to the advertisement issued by the Staff Selection Commission (hereinafter referred to as the, ‘SCC’) on 04.09.2023 and 27.09.2023, *inter alia*, inviting applications for the Limited Departmental Competitive Examination (LDCE) for various posts in the Grade ‘C’ Stenographers Service of the Government of India, they participated in the said examination. They contend that they cleared the ‘Part A’ of the examination process and were thereafter called for the Skill Test, which consisted of a 10-minute dictation *via* a computer-based audio speaker, to be taken down by the candidates in shorthand.

3. The respondent nos. 1 to 66 further contend that they had appeared for the Skill Test at the examination centre, which was at iON Digital Zone iDZ-1, Mathura Road, A-27, Mohan Co-op Industrial Area, Near Sarita Vihar, Metro Station, Delhi. They allege that during the Skill Test, when the candidates attempted to correct their typing errors, the system stopped responding, and the cursor, without actually typing the corrected words, would move to the top of



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the passage. It is claimed that due to this technical glitch in the system/software, the cursor kept shifting after every keystroke, making it difficult to locate the intended place of correction.

4. It was further contended that the respondent nos. 1 to 66 approached the SSC with their complaints and were assured that the matter would be investigated. The respondent nos. 1 to 66 further claimed that a Committee was subsequently appointed by the SSC to carry out an inspection and to submit its report.

5. Having not received any response from the SSC, the respondent nos. 1 to 66 approached the learned Tribunal by way of O.A. No. 2479 of 2024, and the same was disposed of *vide* Order dated 14.06.2024, calling upon the petitioners herein to pass a reasoned and speaking order on the representations submitted by the respondent nos. 1 to 66.

6. The petitioners, however, declared the result on 05.07.2024, and it was only pursuant to the filing of a contempt petition, that the representations of the respondent nos. 1 to 66 were considered and rejected by the Order dated 05.08.2024, stating that it had been decided not to cancel the Skill Test results.

7. Aggrieved by the said, the respondent nos. 1 to 66 have filed the above O.A., in which the Impugned Order has been passed by the learned Tribunal.

8. The learned counsel for the petitioners submits that the respondent nos. 1 to 66, having filed the earlier O.A. and having remained unsuccessful therein, could not have once again challenged the alleged glitch in the computer system during the Skill Test.



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9. He further submits that the Committee, which was informally appointed by the petitioners to look into the grievances of the respondent nos. 1 to 66, had duly reported that there was no need to cancel the result. He submits that, therefore, the learned Tribunal has erred in passing the above-quoted directions.

10. On the other hand, the learned counsel for the respondent nos. 1 to 66, who appears on advance notice, submits that the issue before the learned Tribunal is whether there was a technical glitch at the Centre and, if so, its effect on the result. To determine the said question, the respondent nos. 1 to 66 had filed an application, being M.A. No. 520 of 2025, which was allowed by the learned Tribunal *vide* Order dated 19.03.2025, directing the petitioners to produce the relevant record for the perusal of the learned Tribunal. He submits that the petitioners failed to challenge the said Order. He submits that the Impugned Order dated 07.05.2025 is merely a follow-up of the Order dated 19.03.2025, which has attained finality. Accordingly, he submits that the present petition is not maintainable and is liable to be dismissed.

11. We have considered the submissions made by the learned counsels for the parties.

12. From the above submissions, it would be evident that it is the case of the respondents that there was a technical glitch at the examination centre, because of which, they pray before the learned Tribunal that the result of the Skill Test be cancelled and a fresh Skill Test be conducted for them. In the present order, we do not wish to



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make any comments on the above prayer of the respondent nos. 1 to 66.

13. The learned Tribunal, considering the nature of the grievance raised by the respondents, *vide* Order dated 19.03.2025, directed the petitioners to produce the relevant record for its perusal. This Order was admittedly not challenged by the petitioners. The Impugned Order dated 07.05.2025 is merely a follow-up of the same, directing that instead of a soft copy, the record be produced in the form of a hard printed copy. We fail to understand how the petitioners could have any grievance against the directions passed in the Impugned Order.

14. As far as the submission of the learned counsel for the petitioners that the respondent nos. 1 to 66 had earlier filed O.A. No. 2479/24, which had been disposed of by the learned Tribunal, and the plea of the respondent nos. 1 to 66 for giving concession in the marks having not been accepted, is concerned, in our opinion, the same also appears to be incorrect.

15. In the earlier O.A., the learned Tribunal by an Order dated 14.06.2024, had merely directed the petitioners herein to dispose of the pending representations as well as the R.T.I. applications of the respondents by passing a speaking and reasoned order. It was specifically clarified that the learned Tribunal had not entered into the merits of the case. We, therefore, fail to understand how this can be treated either as *res judicata* against the respondents or as a rejection of the prayer made by them before the learned Tribunal.

16. For the reasons stated hereinabove, we do not find any merit in



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the present petition. The same, along with pending applications, is accordingly dismissed.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

JULY 15, 2025/prerna/sm/DG