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

+ **W.P.(C) 10436/2025 & CM APPL. 43314/2025**

NEETA SAINI

.....Petitioner

Through: Mr. Bhuvneshwar Tyagi,
Advocate.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Harshita Nathrani, Advocate
for R-1 to 3.

Mrs. Avnish Ahlawat, SC for
GNCTD with Mr. Nitesh Kumar
Singh, Ms. Aliza Alam, Mr.
Amitoj Chadha and Mr. Mohnish
Sehrawat, Advocates for R-4 and
5.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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22.07.2025

CM APPL. 43313/2025 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 10436/2025 & CM APPL. 43314/2025 (stay)

1. Issue notice. Ms. Harshita Nathrani, learned counsel, accepts notice on behalf of respondent Nos. 1 to 3. Mrs. Avnish Ahlawat, learned Standing Counsel for Government of National Capital Territory of Delhi ["GNCTD"], accepts notice on behalf of respondent Nos. 4 and 5.
2. The petitioner was a candidate for the post of Junior Judicial Assistant in the establishment of the Principal District and Sessions Judge



[“PD&SJ”], pursuant to an advertisement dated 12.01.2024, issued by respondent No. 4 – Delhi Subordinate Services Selection Board. Her application was in the category of Other Backward Classes (Non-Creamy Layer) [“OBC-NCL”].

3. The Office of the PD&SJ issued an offer of appointment dated 11.06.2025 in favour of the petitioner, subject to submission of various documents, including the OBC-NCL certificate. The difficulty has arisen in view of the fact that the petitioner is in possession of the certificate for the financial years 2024-25 and 2025-26, whereas the advertisement required a certificate issued before the cut-off date, which was 08.02.2024. The certificate should, therefore, have been for the year 2023-24.

4. The petitioner has submitted an application for this purpose on 19.05.2025 to the Divisional Commissioner, GNCTD, but is aggrieved by the fact that the certificate has not been issued.

5. Ms. Aliza Alam, learned counsel for the PD&SJ, submits that even if the certificate is issued now, it would be belated, and the petitioner would not be entitled to avail the benefit of the OBC-NCL reservation.

6. Mr. Bhuvneshwar Tyagi, learned counsel for the petitioner, submits that the petitioner, at this stage, limits the relief sought to consideration of the application for issuance of the OBC-NCL certificate for the year 2023-24 by the concerned authorities of the GNCTD, as the petitioner may require the certificate for other employment as well.

7. Having heard learned counsel for the parties, the petition is disposed of with the following directions:

a) The concerned *Tehsildar* is directed to take a decision on the



petitioner's application for issuance of an OBC-NCL certificate for 2023-24, and to issue the same within a period of one week, if she is otherwise eligible.

b) The OBC-NCL certificate may thereafter be submitted by the petitioner to the office of PD&SJ, who can take an appropriate decision in accordance with law.

8. It is made clear that this Court has not considered the petitioner's claim on merits either for issuance of the OBC-NCL certificate for the year 2023-24, or for consideration of the said certificate by the prospective employer.

9. It is also made clear that this order is not intended to operate as a bar on the office of the PD&SJ from continuing with the process of recruitment.

10. The writ petition, alongwith pending application, is disposed of with these directions.

PRATEEK JALAN, J

JULY 22, 2025

Sh/KA/