



2025:DHC:9569-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 31.10.2025***+ **W.P.(C) 16534/2025****STAFF SELECTION COMMISSION AND OTHERS**

.....Petitioners

Through: Mrs. Anubha Bhardwaj, CGSC
with Ms. Ananya Shamsheery,
Ms. Anchal Kashyap and Mr.
Vijay Misra, Advs.
Mr. Sanjay Kashyap, Under
Secretary.

versus

DINESH CHANDRA

.....Respondent

Through: Mr. Kamaldeep, Adv.

CORAM:**HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE MADHU JAIN****NAVIN CHAWLA, J. (ORAL)****CM APPL. 67717/2025 (Exemption)**

1. Allowed, subject to all just exceptions.

W.P.(C) 16534/2025 & CM APPL. 67718/2025, CM APPL. 67719/2025

2. This petition has been filed challenging the Order dated 16.01.2024 passed by the learned Tribunal in O.A. No. 1898/2017, titled *Dinesh Chandra v. Staff Selection Commission and Ors.*, whereby the learned Tribunal disposed of the said O.A. with the following directions:

"4. In view of what has been recorded above, we allow the OA with a direction to the respondents to forthwith engage the applicant in terms of his short-listing/empanelment, in



no case later than three weeks from the date of receipt of a copy of this order.”

3. The petitioner further challenges the Order dated 28.11.2024 passed by the learned Tribunal in R.A. No. 100/2024 in the abovementioned O.A..

4. The learned counsel for the petitioner submits that, by an inadvertent mistake, a complete copy of the aforementioned Order has not been filed along with the present petition. She submits that she has filed the same only yesterday and has handed over a copy of the same to us. The same is taken on record.

5. By the said Order, the learned Tribunal has dismissed the Review Application filed by the petitioner herein, observing as under:

*“8. It is not disputed by learned counsel for the review applicant that the decision rendered in the case of Ramesh Chander Singh (supra) was not brought to the judicial notice while the order was being passed by this Tribunal. We also find that the order was passed by this Tribunal after a detailed hearing and the OA was disposed of with a limited directions to the respondents to engage the applicant in terms of his short-listing empanelment, whereas in the case of the Ramesh Chander Singh (supra) a speaking order was passed qua the claim of the applicants therein seeking regularization and consequential benefits has been rejected. We fail to understand how the review applicant can rely upon the decision rendered in the case of Ramesh Chander Singh (supra).
9. In view of the above, we find no infirmity in the order passed by the Tribunal and no error is apparent on the face of the record and does not fall under the ambit or scope of our power to review. Accordingly the RA is dismissed. No order as to costs.”*

6. To give a brief background of the facts in which the present



petition arises, the respondent applied for the empanelment as Scorers/Openers/Checkers with the petitioner no. 1, that is, the Staff Selection Commission, pursuant to an Advertisement dated 21.10.2012. The candidature of twelve candidates was sent by the petitioner no. 1 to the Delhi Police for verification of character and antecedents *vide* letter dated 11.12.2013.

7. It is claimed that the Delhi Police sent verification reports for only nine applicants, out of which only seven reported for duties and were empanelled by the petitioner no. 1 on 12.09.2013.

8. The verification report, as far as the respondent is concerned, is claimed to have not been received by the petitioner no. 1, due to which, he was not empanelled.

9. Aggrieved of the same, the respondent filed the above O.A. before the learned Tribunal.

10. The learned Tribunal took note of the fact that the Delhi Police was claiming that the verification report with respect to the respondent, had been sent to the petitioner no. 1 on 20.01.2014. The learned Tribunal further observed that, in case the petitioner no. 1 had not received the verification report, it should have taken action and sent a reminder to the Delhi Police for sending the same, instead of denying the opportunity to the respondent to be empanelled. The learned Tribunal therefore, allowed the O.A. with the above quoted directions.

11. The petitioner no. 1 then filed the Review Application, being R.A. No. 100/2024, before the learned Tribunal, *inter alia* placing reliance on the Judgment of this Court in ***Ramesh Chandra Singh &***



Ors. v. Union of India & Anr., 2019:DHC:3252-DB. The said Review Application has also been dismissed by the learned Tribunal, with the observation which has been quoted hereinabove.

12. Aggrieved of the Impugned Orders passed by the learned Tribunal, the petitioners have filed the present petition.

13. The learned counsel for the petitioner submits that, due to computerization and advancement of technology, the petitioners, since February, 2016, are not engaging the services of Scorers/Openers/Checkers. She submits that, therefore, the impugned direction is liable to be set aside.

14. Placing reliance on the Judgment of this Court in **Ramesh Chandra Singh** (supra), she submits that this Court has directed that the petitioners therein would have to be given a preference over others who may have been engaged after the discharge of the petitioners therein. She submits that, therefore, the respondent cannot be given the appointment in preference to those petitioners.

15. On the other hand, the learned counsel for the respondent, who appears on advance notice of the petition, submits that the empanelment was wrongfully denied to the respondent on the ground of the verification report not been received from the Delhi Police. No effort was made by the petitioner no.1 for obtaining such verification report. In any case, the respondent could not have been made to suffer for non-receipt of the verification report.

16. He further submits that, though the petitioners may not be engaging for daily wagers for work of Scorers/Openers/Checkers,



there is an exchange programme wherein the other departments can be made to engage the services of the empanelled workers.

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

18. As far as, the Impugned Order dated 16.01.2024 is concerned, we do not find any infirmity in the same.

19. Admittedly, the respondent was not empanelled only because allegedly the verification report from the Delhi Police for his antecedents was not received. It is not the case of the petitioners that the verification report was in the negative or that the petitioner no.1 made any endeavour to obtain the verification report from the Delhi Police, if it had not been received. Non-receipt of the verification report was a matter only between the two departments, that is, the petitioner no.1 and the Delhi Police, for which the respondent could not have been faulted or made to suffer. The learned Tribunal has, therefore, rightly directed that the respondent should be forthwith engaged in terms of the short listing/empanelment.

20. As regards the plea of the petitioner no.1 that since February, 2016, it has not been engaging any worker for the work of Scorers/Openers/Checkers, and its reliance on the Judgment of this Court in **Ramesh Chandra Singh** (supra), we shall first note that in the said Judgment, this Court while denying the claim of the petitioners therein for regularization, had further directed that the petitioners therein, shall be considered for re-engagement on daily wages in respect of the jobs performed by them in preference to others who may have been engaged after discharge of the petitioners.



21. As noted above, the Advertisement in question was also only for the purposes of empanelment for the post of casual daily wages for performance of the work of Scorers/Openers/Checkers. It was not a regular appointment. In fact, this Court rejected the prayer of the petitioners therein that the petitioners be directed to create substantial posts.

22. Keeping in view the above, as the respondent had been unfairly denied empanelment, the direction of the learned Tribunal is only to empanel him in terms of his seniority. Wherever and whenever the petitioners will need to take the work of Scorers/Openers/Checkers, the respondent as per his seniority in the empanelment, will be offered this job. This direction will not be, in any manner, contrary to the Judgment of this Court in **Ramesh Chandra Singh** (supra), inasmuch as the petitioners therein will also retain their seniority in the panel.

23. As regard to the plea of the respondent that there exist an exchange programme wherein, the services of the respondent can be placed with other departments, as this was not the subject matter of the dispute before the learned Tribunal or before us, we would not express any opinion on the same.

24. This petition along with the pending applications is disposed of in above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

OCTOBER 31, 2025/ys/P/ik