



2025:DHC:8569-DB



\$~29

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

Date of decision: 22.09.2025

+ W.P.(C) 17084/2024 & CM APPL. 72466/2024, CM APPL. 7437/2025

GOVT OF NCT OF DELHI AND ORSPetitioners

Through: Mrs.Avnish Ahlawat, SC,
Mr.Nitesh Kr.Singh, Adv.

versus

YASHPAL SINGH AND ANRRespondents

Through: Mr.K.C. Mittal, Mr.Yugansh
Mittal, Mr.Keshav Poonia,
Advs for R-1.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioners, challenging the Order dated 20.08.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as 'Tribunal') in O.A. No.61/2019, titled ***Yashpal Singh & Anr. v. Govt of NCT of Delhi & Ors.***, whereby the said O.A. filed by the respondents herein was disposed of with the following directions:

“16. In view of what has emanated from the arguments the original records and the submissions of the parties, we are of the considered opinion that the OA deserves to be allowed. The respondent DSSSB is directed to rework their results for the postcode 138/12 and declare the pending part of the result for



the 3 vacancies. It is clarified that after the declaration of the result, the wait list panel shall be operated. The entire exercise be conducted within a period of four weeks. The rights of the candidates declared successful in the pending part result vis a vis other candidates declared successful earlier are kept open.”

2. In 2012, the petitioners issued an Advertisement/Notification for the post of TGT (History)(Male) under Post Code 138/12, notifying a total of 62 vacancies, out of which 34 were unreserved. The cut-off date for the receipt of the applications was 15.06.2012. The result of the selection process was declared on 15.03.2017, however, only for 57 candidates. For the unreserved category, 28 candidates were declared selected, while the result of 3 candidates was kept pending for want of requisite documents, and 3 further posts were kept vacant due to *interim* orders passed by the learned Tribunal in other O.As.

3. Admittedly, the result of the 3 candidates kept pending, was finally cancelled on 25.01.2019, as they failed to provide the requisite documents despite notices dated 05.07.2017 and 16.04.2018.

4. The requisitioning Department, that is, the Directorate of Education, *vide* communication dated 26.06.2018, requested the petitioners to send 4 more dossiers, as certain candidates had not joined within the prescribed time. However, the petitioners (DSSSB) refused to send these dossiers, stating that the validity of the waitlist panel had expired on 14.03.2018, that is, one year from the declaration of the result.

5. Aggrieved thereby, the respondents filed O.A., being O.A. No.



2272/2018, which was disposed of by the learned Tribunal *vide* Order dated 01.06.2018, directing the petitioners to consider the representations of the respondents and to pass a reasoned and speaking order.

6. The petitioners again rejected the representations of the respondents *vide* Order dated 28.11.2018, which rejection was challenged by the respondents before the learned Tribunal by way of the above O.A.

7. The learned Tribunal, taking note of the fact that the candidature of the 3 candidates whose result was kept pending in the result declared on 15.03.2017 had been cancelled only on 25.01.2019, and also noting that the user department had requisitioned 4 more dossiers from the petitioners on 26.06.2018, held that the result dated 15.03.2017 was only a partial declaration and could not be treated as the final result for the operation of the waitlist.

8. The learned counsel for the petitioners submits that the final result was declared on 15.03.2017, albeit with the candidature of three candidates being kept in abeyance for want of requisite documents. He further submits that this had no effect on the validity of the panel, which expired on 14.03.2018.

9. We are unable to accept the submission of the learned counsel for the petitioners.

10. The result declared on 15.03.2017, though final for 28 candidates belonging to the unreserved category, cannot be treated as final for the three candidates whose documents were incomplete and who were granted further time to furnish the same. The petitioners



have been unable to explain why, despite the failure of these candidates to submit the requisite documents even after repeated notices, their candidature was not cancelled in time. Instead, the petitioners allowed the period of validity of the waitlist to expire. The petitioners cannot defeat the requirement of maintaining a waitlist of candidates, which is in the public interest, especially when a huge amount of money had been spent on the selection process and the candidates had a legitimate expectation of being considered for appointment in case any of the selected candidates failed to join or resigned within one year of the declaration of the result. Such legitimate expectation cannot be defeated by the inaction of the petitioner.

11. In our view, therefore, the learned Tribunal acted in accordance with law in passing the Impugned Order. We find no merit in the challenge by the petitioners to the same.

12. The petition is, accordingly, dismissed. The pending applications are also disposed of as infructuous.

13. The petitioners must comply with the order of the learned Tribunal within a period of eight weeks from today.

14. There shall be no order as to costs.

NAVIN CHAWLA, J

MADHU JAIN, J

SEPTEMBER 22, 2025/Arya/DG