



2025:DHC:11164-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 09.12.2025***

+ W.P.(C) 17917/2025 & CM APPL. 74113/2025

VIJAY KHATRI

.....Petitioner

Through: Mr. Avadh Bihari Kaushik,
Ms. Saloni Mahajan and
Mr. Rishabh Kumar, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Siddhartha Shankar Ray,
CGSC with Mr. Atishay Jain
Adv.**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE MADHU JAIN****NAVIN CHAWLA, J. (ORAL)**

1. This petition has been filed challenging the Order dated 10.09.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the "Tribunal") in O.A. No. 913/2018, titled *Vijay Khatri v. Union of India Through the Secretary & Anr.*, whereby the learned Tribunal dismissed the O.A. filed by the petitioner herein.

2. The brief facts giving rise to the present petition are that the petitioner participated in the departmental examination for the post of Junior Accountant in Postal Accounts Offices-2016 as a departmental candidate. In the Paper-III examination held on 19.06.2016, he claims that Question No. 2(ii) of Group-B of Paper-III was out of the syllabus



and the books prescribed for the said examination, inasmuch as it was from the Postal Accounts Manual (PAM) Volume I, whereas the book that was prescribed to the candidates of the Postal Department was PAM Volume II (M.O. S.B.P.O.C.C. Chapter).

3. Aggrieved of the same, after the declaration of the result on 31.08.2016, the petitioner first obtained the model answer key through the Right to Information Act, 2005, and thereafter made a representation dated 11.01.2017 seeking re-evaluation/re-checking of his answer sheet, including on the ground as under:

“.... 4. As per answer key, Question No. 2 (ii) of Group (B) is from PAM VOL-I whereas this book was not permitted in Paper-III. Therefore, I should be benefited with 10 marks for this question being out of syllabus.”

4. The said representation was rejected by the respondents *vide* their communication dated 07.06.2017, claiming as under:

“There was printing mistake on the Question Paper-III published in Hindi & English. In English version PAM Vol-I has been added manually in set received from your office whereas in Hindi version PAM Vol-I has been printed on the first page of question paper.”

5. Aggrieved of the same, the petitioner filed the above O.A. on 19.02.2018.

6. As noted hereinabove, the learned Tribunal has dismissed the O.A. finding no merit in the same.

7. The learned counsel for the petitioner submits that the claim of the respondents that in the English version of the question paper there had been a manual correction made is totally false, as can be easily



demonstrated from the question paper, a copy of which he has filed along with the present petition and was also filed before the learned Tribunal. He submits that the question paper being out of syllabus and the book prescribed and allowed to be carried by the candidates in the examination, the petitioner should therefore have been granted the extra marks.

8. On the other hand, the learned counsel for the respondents, who appears on advance notice of this petition, submits that the petitioner, being from the Accounts Department, was well aware that the question is to be attempted from the PAM Volume I, which is the book prescribed for such candidates. He also submits that the same question is answered in the form of para 10.41 in the said book; therefore, there was no discrepancy in the question or the answer. He submits that it is only as an afterthought that the petitioner raised this issue after receiving the answer key.

9. We have considered the submissions made by the learned counsel for the parties.

10. At the outset, we would note that the petitioner, having participated in the examination on 19.06.2016, did not raise an immediate grievance about the question being out of syllabus. He raised this grievance only after the declaration of the result and after receiving the model answer key in response to an RTI application.

11. The petitioner belongs to the Accounts Department and, therefore, would have known that though a reference had been made to the PAM Volume II in the question paper, the question had to be answered by making a reference to the PAM Volume I. If the



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petitioner had any ambiguity at the stage of the examination, he would have raised it immediately with the invigilator, and if not with the invigilator, at least with the department, rather than waiting for the result. The plea of the petitioner, therefore, appears to be only an afterthought and has rightly been rejected by the learned Tribunal.

12. We find no infirmity in the Impugned Order passed by the learned Tribunal. The petition, along with the pending application, is accordingly dismissed.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 9, 2025/b/rm/ik