



2025:DHC:5639-DB



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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 15.07.2025

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W.P.(C) 8667/2007

UNION PUBLIC SERVICE COMMISSIONPetitioner

Through: Mr.Ravinder Agarwal,
Mr.Manish Kumar Singh and
Mr.Vasu Agarwal, Advs.

versus

DR. (MRS.) VIDYUT SHIKHA & ORS.Respondents

Through: Mr.Arpit Shukla and
Ms.Deepshikha Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioner, challenging the Order dated 07.07.2007 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the, 'Tribunal') in O.A. No. 2017/2006, titled ***Dr (Mrs.) Vidyut Shikha v. Union Public Service Commission & Ors.***, whereby the learned Tribunal partly allowed the O.A. filed by the respondent no.1 herein with the following direction:

“52. In the result, the OA is partly allowed. UPSC is directed to work out, de novo, criteria for short-listing of GFC candidates to be called for interview for the post of Principals, in the light of our observations



aforementioned. No criteria arrived at through this exercise should have the effect; of choking any of the sources of recruitment envisaged in the Recruitment Rules. However, we note that in the interim relief granted by this Tribunal only one post of Principal was ordered to be kept vacant, since only one of the aggrieved candidates had approached this Tribunal. Thus the remaining 11 posts of Principals meant for GFC candidates may have been filled and the candidates appointed to those posts would have been on the job for several months. It would be, therefore, patently iniquitous to disturb the selections already made. In the fitness of things, the relief has to be moulded to suit the facts and circumstances of the case. Accordingly, we direct that only the remaining one post of Principal of GFC should be filled up on the basis of the revised criteria that may be evolved by UPSC in terms of our observations aforementioned.”

2. The learned counsel for the petitioner submits that, due to the long passage of time during the pendency of the present petition, the respondent no.1, who is the only contesting respondent, has already reached the age of superannuation. Therefore, to carry out the exercise as directed by the learned Tribunal at this stage, even assuming that the petitioner fails in its challenge, would be a futility. He submits that this Court should not embark upon an academic exercise at this stage.

3. The learned counsel for the respondents, though submits that the issue should be decided by this Court, fairly admits that the respondent no .1 would not derive any benefit at this stage even if the order passed by the learned Tribunal is upheld.

4. Keeping in view the above, and finding that the question of law raised would only be an academic exercise, we dispose of the present



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writ petition leaving the question of law open. We further reiterate that we have not examined the question of law on merits.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

JULY 15, 2025/sg/DG