



2026:DHC:4494



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision : 18.05.2026+ CONT.CAS(C) 365/2025

SH. SANJEET KUMAR

.....Petitioner

Through: Mr. Jagjit Singh, Mr. Preet Singh and
Mr. Rahul Khan, Advocates.

versus

SH. ASHOK KUMAR VERMA & ORS.

.....Respondents

Through: Ms. Pratima N. Lakra, CGSC along
with Ms. Pinky Pawar, Mr.
Shailendra Kumar Mishra, Advocates.**CORAM:****HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The present petition has been filed by the petitioner alleging wilful disobedience/non-compliance with the directions contained in the judgment dated 22.11.2024 passed in W.P.(C) 12107/2019. The said order reads as under:

1. The petitioner is aggrieved by an order dated 29 March 2019, passed by the Central Administrative Tribunal¹, whereby the Tribunal has dismissed OA 3375/2014.

2. The petitioner, as the applicant before the Tribunal, was aggrieved by the cancellation of his candidature for an examination for recruitment to Group D posts in the Northern Railways. The candidature was cancelled on the ground that certain candidates were found, on the basis of an expert opinion, to have resorted to unfair means.



3. It is not in dispute that none of the candidates were issued any show cause notice, before their candidature was cancelled.

4. Certain similar candidates, who had approached the Tribunal and whose original applications were also dismissed, petitioned this Court by means of WP (C) 10621/2018² and WP (C) 10622/2018³. The said petitions have been disposed of by a coordinate Bench of this Court by order dated 19 January 2024, by setting aside the orders passed by the Tribunal and further reserving liberty with the respondents in the following terms:

"10. The respondents are granted liberty to issue show cause notices to the petitioners within four weeks along with all supporting materials/documents in support of their plea that the petitioners had resorted to unfair means during the aforesaid exam held on 23.11.2014. The petitioners will reply to the said show cause notices within four weeks' whereafter, the respondents will within six weeks, from the date of receipt of the petitioners' reply, pass a reasoned and speaking order thereon.

11. In case the reply furnished by the petitioners is found to be satisfactory, the respondents will take appropriate steps to consider the petitioners' candidature for the post in question. The petitioners would however not be entitled to any benefits of retrospective appointment.

12. Needless to state, in case the petitioners are still aggrieved by any orders passed by the respondents, it will be open for them to assail the said orders as per law."

5. It is not in dispute that the petitioners in the aforesaid writ petitions and the present petitioner are identically situated. They were all candidates for the same examination and their candidature was cancelled for the same reason.

6. Accordingly, keeping in mind the interests of uniformity and consistency, we deem it appropriate to dispose of this petition in line with the order dated 19 January 2024 passed by the Coordinate Bench of this Court in WP (C) 10621/2018 and WP (C) 10622/2018.

7. Accordingly, the directions contained in paras 10 to 12 of the order dated 19 January 2024, the aforesaid writ petitions would apply *mutatis mutandis* to the present petition as well. The impugned order dated 29 March 2019 of the Tribunal is quashed and set aside subject to the said observations and directions.



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2. It is averred in the short affidavit filed on behalf of the respondents, that in compliance with the directions contained in the judgment dated 22.11.2024, a Show Cause Notice dated 31.12.2024 was served upon the petitioner on 01.01.2025.

3. However, the same is seriously disputed by learned counsel for the petitioner.

4. It is also averred in the said affidavit filed on behalf of the respondents that the show cause notice was disposed of by way of a speaking order dated 12.02.2025 on the ground that no reply thereto was filed by the petitioner.

5. Evidently, the purport of the directions contained in the judgment/order dated 22.11.2024 was to ensure compliance with the principles of natural justice. Unfortunately, however, the exercise carried out in not in consonance with the said directions.

6. In the circumstances, the respondents are directed to issue a fresh show cause notice to the petitioner in terms of the directions contained in the judgment/order dated 22.11.2024.

7. The petitioner shall file a response thereto within a period of one week from the date of receipt thereof. Thereafter, an appropriate decision shall be taken by the respondents in terms of the aforesaid judgment. The said exercise shall take place regardless of, and without being influenced by, the exercise referred to in paragraphs 4 and 5 of the reply filed on behalf of the respondents.

8. Let a copy of the Show Cause Notice that may be issued pursuant to the aforesaid directions, be also marked to the learned counsel for the petitioner.



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9. The above directions are issued to ensure that there is no wilful disobedience of the directions contained in judgment/order dated 22.11.2024. In terms of the dicta laid down by the Supreme Court in *Anil Kumar Shahi v. Prof. Ram Sevak Yadav*, (2008) 14 SCC 115, it is incumbent upon this Court to pass appropriate appropriate directions to ensure compliance.

10. The present petition stands disposed of in the above terms.

SACHIN DATTA, J

MAY 18, 2026/at/sv