



2026:DHC:4311-DB



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

+ **W.P.(C) 7984/2024**

DELHI JAL BOARD

.....Petitioner

Through: Mr. Tushar Sannu, Ms. Rajbala, Mr. Priyanka Tiwari and Mr. Fajallu Rehman, Advs. along with Mr. Hemant Bhardwaj, Deputy Director (Law), Mr. Sandeep, Senior Assistant and Mr. Rajesh Kumar, ASO for DJB

versus

SURAJ SAINI & ORS.

.....Respondents

Through: Mrs Avnish Ahlawat, SC GNCTD Services, Mr Nitesh Kumar Singh, Ms Aliza Alam, Mr Mohnish Sehrawat, Advs.
Mr. Yogesh Tiwari, Mr. Vikrant Singh Bais and Ms. Neema, Advs. for R-2, 4, 8 & 9

+ **W.P.(C) 2795/2024 & CM APPL. 26760/2025, CM APPL. 29054/2025, CM APPL. 15537/2026, CM APPL. 15538/2026, CM APPL. 15539/2026**

**DELHI SUBORDINATE SERVICES
SELECTION BOARD**

.....Petitioner

Through: Mrs Avnish Ahlawat, SC GNCTD Services, Mr Nitesh Kumar Singh, Ms Aliza Alam, Mr Mohnish Sehrawat, Advs.

versus

SURAJ SAINI AND ORS

.....Respondents

Through: Mr. Yogesh Tiwari, Mr. Vikrant Singh Bais and Ms. Neema, Advs. for R-2, 4, 8 & 9

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KUMAR
Signing Date: 19.05.2026
11:37:49

Page 1 of 8



2026:DHC:4311-DB



Mr. Tushar Sannu, Ms. Rajbala, Mr. Priyankar Tiwari and Mr. Fajallu Rehman, Advs. along with Mr. Hemant Bhardwaj, Deputy Director (Law), Mr. Sandeep, Senior Assistant, Mr. Rajesh Kumar, ASO for DJB

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

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14.05.2026

C. HARI SHANKAR, J.

1. The litigative trajectory in these writ petitions is peculiar.
2. The only contesting respondents before us are Respondents 2, 4, 8 and 9. They are part of the 14 applicants before the Central Administrative Tribunal¹, from whose order these writ petitions emanate, who participated in a selection process held by the Delhi Subordinate Services Selection Board² for recruitment to the post of Junior Engineer (Civil) in the Delhi Jal Board³.
3. By order dated 28 September 2021, they were declared as selected. However, they were not issued offers of appointment on the ground that vacancies, against which they were selected, stood abolished by the DJB.
4. Aggrieved thereby, the 14 applicants, which included the four

¹ "the Tribunal" hereinafter

² "DSSSB" hereinafter

³ "the DJB" hereinafter

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KUMAR

Signing Date: 19.05.2026

11:37:49



2026:DHC:4311-DB



respondents before us, petitioned the Tribunal by way of OA 1439/2022⁴, seeking a direction to the DJB to appoint them as JE (Civil).

5. While the OA was pending before the Tribunal, the DJB, by a decision taken in its 163rd meeting held on 10 October 2022, issued an order reviving the abolished posts and permitting recruitment of the 40 candidates against the posts, which include the 14 applicants before the Tribunal, and which, in turn, include the four respondents before us.

6. The decision was, however, made subject to extension of the panel by the competent authority or issuing of any order passed by the court in that regard.

7. In that view of the matter, the Tribunal was of the opinion that the OA had been rendered infructuous. It was, accordingly, disposed of with the following directions:

“4. In view of the order passed by the respondents, the O.A. has become infructuous. The respondents are directed to take this revival order to its logical conclusion and process the case of the applicants for appointment as per the rules and instructions on the subject, if they are otherwise found eligible, within a period of six weeks from the date of receipt of a copy of this order.”

8. As there was no compliance with the above directions, the respondents filed CP 63/2023. The concerned officers of the DJB, as well as the DSSSB, were arraigned as contemnors in the contempt



2026:DHC:4311-DB



petition.

9. In the said contempt petition, on 29 January 2024, the following order came to be passed by the Tribunal:

“1. *Vide* order dated 20.12.2023, personal presence of respondent Nos. 1 and 2 was called for. However, we observe that the necessary action at this stage is to be taken by respondent No. 3. Hence, the presence of respondent Nos. 1&2 is dispensed with.

2. Mr. Amit Anand, learned counsel for respondent No.3 submits that the order of this Tribunal is being challenged by way of a Writ Petition in the Hon'ble High Court for which the necessary process has been set in motion.

3. The order is more than a year old and sufficient indulgence has already been shown.

4. We allow a further period of one week and no more to the respondents to either ensure compliance of the order of the Tribunal or demonstrate that a WP (C) has already been filed in the Hon'ble High Court.

5. List on 16.02.2024.”

10. This order forms subject matter of challenge at the instance of the DSSSB before us in WP (C) 2795/2024. The DSSSB is represented by Mr. N.K. Singh, learned Counsel.

11. On 25 April 2024, the DSSSB informed the Tribunal that e-dossiers of all successful candidates, including the 44 waitlisted candidates, which include the 14 applicants in OA 1439/2022, of whom four are the respondents before us, had been forwarded to the DJB *vide* letter dated 29 October 2021.

12. The Tribunal, therefore, passed the following order on 25 April

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Digitally Signed By: AWIP.(C) 7984/2024 & W.P.(C) 2795/2024
KUMAR
Signing Date: 19.05.2026
11:37:49

Page 4 of 8



2026:DHC:4311-DB



2024:

“1. Mr. Amit Anand, learned counsel for DSSSB, submits that the e-dossiers of all the successful candidates including the ones placed in the waitlist panel have already been sent to Delhi Jal Board (DJB). Thus, onus is upon them to comply with the directions passed in the captioned O.A. by way of taking the order of revival of vacancies to its logical conclusion.

2. He draws attention to the specific averment made in para 7 of the latest counter reply to the C.P. he proposes to file. We have obtained a copy of the same from him and put it on record. The said para 7 reads as under:-

“That the e-dossiers of 201 selected candidates and e-dossiers of 44 waitlisted candidates were forwarded to the user department vide nomination letter dated 29.10.2021. Since Result of the post Code 17/19 was published on 28.09.2021 the waitlist panel was valid upto 27.09.2022.”

3. In terms of the specific averment made in para 7, which has been reproduced above, there should be no impediment before the DJB to ensure that the directions passed in the captioned O.A. are complied with in letter and spirit.

4. To further clarify, the DJB is obliged to ensure that pursuant to revival of the posts of Junior Engineer (Civil) offers of appointment are extended in favour of successful and eligible candidates including the ones whose name figure in the waitlist panel. It would be in their interest to take necessary steps so that they can absolve themselves of contempt.

5. Learned counsel for DJB assures that he shall file an appropriate affidavit demonstrating compliance in letter and spirit within one week.”

13. This order forms subject matter of challenge, before us, in WP (C) 7984/2024, at the instance of the DJB. The DJB is represented by Mr. Tushar Sannu, learned Counsel.

14. Somewhat strangely, on 4 September 2024, CP 63/2023 was disposed of by the Tribunal as having being rendered infructuous, based on a statement made before it to the effect that the order dated 25 November 2022 in OA 1439/2022 had been challenged before this

Signature Not Verified

Digitally Signed By: AWIP.(C) 7984/2024 & W.P.(C) 2795/2024
KUMAR
Signing Date: 19.05.2026
11:37:49

Page 5 of 8



2026:DHC:4311-DB



Court, notice had been issued in the said challenge and the challenge had been re-notified for 8 October 2024.

15. In actual fact, till date, the order dated 25 November 2022 has not been challenged by anybody before this Court.

16. On the basis of the aforesaid incorrect statement made before it, the Tribunal, on 4 September 2024, disposed of CP 63/2023 thus:

“The present CP has been filed by the petitioner alleging wilful defiance of the directions of the Tribunal in order dated 25.11.2022 in OA No. 1439/2022.

2. Learned counsel for parties confirm that the respondents have assailed the order dated 25.11.2022 before the Hon’ble High Court of Delhi and the Hon’ble High Court has issued notice and re-notified the matter for final hearing on 08.10.2024. In view of the fact that the issue has engaged attention of the Hon’ble High Court, no fruitful purpose will be served to keep this CP pending.

3. In view of above, present CP is closed. Notices are discharged. However the petitioners are at liberty to revive the CP, in accordance with law, if so advised.”

17. Even more strangely, this order has not been assailed before this Court by any party including the respondents. We cannot, therefore, revive CP 63/2023.

18. The position that results is as follows:

(i) The judgment dated 25 November 2022 in OA 1439/2022 specifically directed that the respondents’ cases be processed for appointment as JE (Civil) as per rules and instructions on the subject.



2026:DHC:4311-DB



(ii) When this order was not complied with, CP 63/2023 came to be filed by the respondents in which, by order dated 29 January 2024, the Tribunal granted the respondents before it – i.e. the DSSSB and the DJB – a period of one week to ensure compliance with the order passed in the OA.

(iii) Subsequently, on 25 April 2024, on being informed that the e-dossiers of the respondents and other selected candidates had been forwarded by the DSSSB to the DJB, it was directed that the DJB was obligated to ensure that offers of appointment were extended to the respondents.

19. In WP (C) 7984/2024, this Court, expressing clear disapproval at the fact that the Tribunal was misled into disposing of CP 63/2023, refused to stay the operation of the order dated 25 April 2024.

20. It is a matter of concern that, even though the order was not stayed, the DJB has as yet not complied with the order passed by the Tribunal. Mr. Sannu, on being queried in this regard offers, as an explanation, the fact that the life of the panel had not been extended by the DSSSB. We failed to understand the explanation. In the face of the orders which were passed by the Tribunal, and the fact that this Court did not grant stay of the order dated 25 April 2024, nothing stood in the way of issuing offers of appointment to the respondents. To our mind, at this stage, there was no need for the DJB to wait for any extension of panel by the DSSSB before complying with the orders of the Court.

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Digitally Signed By: AWIP.(C) 7984/2024 & W.P.(C) 2795/2024
KUMAR
Signing Date: 19.05.2026
11:37:49

Page 7 of 8



2026:DHC:4311-DB



21. Mr. Sannu, on instructions from Mr. Hemant Bhardwaj, DD(T) and Mr. Rajesh Kumar (ASO) DD(T), submits that, in view of the order passed today, offers of appointment would be issued to Respondents 2, 4, 8 and 9 within a period of four weeks from today.

22. In that view of the matter, nothing survives for adjudication in these two writ petitions, which are accordingly disposed of.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

MAY 14, 2026/dsn