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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8581/2024 & CM APPL. 35114/2024

PRAMOD KUMAR GUPTA

.....Petitioner

Through: Ms. Suroor Mander, Mr. Gaurav
Kumar and Mr. Sehrish Jafri,
Advocates.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Balendu Shekhar, Mr. Krishna
Chaitanya and Mr. Divyansh Singh
Dev, Advocates for UOI with Mr.
Ritesh Tiwari, ASO (DOPT).
Mr. Ravinder Agarwal, Mr. Manish
Kumar Singh and Mr. Vasu Agarwal,
Advocates for R3/UPSC.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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13.05.2026

1. This Public Interest Litigation Petition has been filed with the following prayers:

“1. Issue a writ of Mandamus or directions or any other similar order to Department of Personnel and Training to create provision for permanent inclusion of PwBD covered under clause (d) of section 34(1) of the Act, 2016 in the Civil Services Examinations conducted by Respondent No.3

2. Issue a writ of Mandamus or directions or any other similar order or directions to Department of Personnel and Training to generate vacancies to cover the backlog of reservations from 2017 for above mentioned category of benchmark disability in the Civil Services Examinations conducted by Respondent No.3



3. Issue a writ of Mandamus or directions or any other similar order to Respondents 1, 2, and 3 to hold an inquiry against the Public Officials who have contravened the Act, 2016 and punish the same under Section 89 of the Act, 2016.

4. Issue a writ of Mandamus or directions or any other similar order or directions to direct Ministry of Social Justice and Empowerment to provide sensitive training of the Respondent no.1 & 3 for effective implementation of the Act, 2016.”

2. Mr. Balendu Shekhar, the learned Counsel representing Union of India has brought to our notice an Order dated 18.02.2026 passed by the Coordinate Bench of this Court in W.P.(C) 2308/2026. The said Order dated 18.02.2026 is extracted herein below:

“1. The Central Administrative Tribunal (CAT), while disposing of Original Application (O.A.) filed by the present Respondents, has only issued directions to reconsider and re-examine the matter, while issuing the following directions:-

“(i) Having regard to the observations made in Paragraph 8, the Office Memorandum dated 20.12.2024 must be reconsidered and re-examined by the respondents.

(ii) This exercise must be undertaken in consultation with the concerned ministries governing the 19 constituent services under CSE, as well as with experts in the medical field, to identify suitable posts for persons with SLDs.

(iii) A High-Powered Committee should be constituted to carry out this exercise and ensure that the statutory mandate of reservation is fulfilled.

(iv) Any future exemption must be examined critically - whether it should apply to all 19 services or to specific ones only, and such decision must be supported by objective data and policy reasoning.

(v) The object and purpose of any exemption under clause (d) of Section 34 must be publicly disclosed, preferably as a note in the CSE 2026 advertisement.

(vi) This entire exercise must be completed prior to the issuance of the advertisement notification for CSE 2026.”



2. The O.A. before the CAT was filed by the Respondents seeking implementation of reservation for persons with disabilities strictly in terms of The Rights of Persons with Disabilities Act, 2016, which provides for reservation of not less than four per cent in the vacancies in Government establishments for such persons.

3. Since the Tribunal has only directed reconsideration of the matter in consultation with the concerned experts, no ground for interference is made out.

4. However, the Tribunal had directed completion of the aforesaid exercise within a period of twelve weeks. The said period has admittedly expired. In the peculiar facts and circumstances of the case, an additional period of eight weeks from today is granted to the Petitioners to complete the exercise in terms of the directions of the Tribunal.

5. In view of the aforesaid, the present Writ Petition along with pending applications, is disposed of.”

3. As noticed by the Co-ordinate Bench of this Court in its Order dated 18.02.2026, the Central Administrative Tribunal, while disposing of some original application has issued detailed directions for ensuring the provisions of reservation in public employment in terms of Section 34(1) of the Rights of Persons with Disabilities Act, 2016.

4. Accordingly, in view of the Order dated 18.02.2026, nothing needs to be adjudicated in this Petition, which stands disposed of.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

MAY 13, 2026/sms