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

+ **W.P.(C) 1519/2026 & CM APPL. 7453/2026**

GANESH H.N. AND ORS.

.....Petitioners

Through: Mr. Rajesh Gulab Inamdar, Ms. Sheena Taqui, Ms. Akansha Saini and Ms. Sehrish Naaz Fazal, Advocates.

versus

THE UNION OF INDIA AND ANR.

.....Respondents

Through: Mr. Atul Tanwar, Advocate for R-1.
Mr. Ravinder Agarwal, Mr. Manish Kumar Singh and Mr. Vasu Agarwal, Advocates for R-2/ UPSC.
Mr. Nishant Gautam, CGSC with Mr. Vineet Negi, Ms. Kanya Shukla, Ms. S. Shaji and Mr. Naman Sharma, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

16.02.2026

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1. The Petitioners are civil services aspirants who appeared in the Civil Services Examination (CSE) Preliminary 2024 and 2025 conducted by the Union Public Service Commission¹. They have raised their grievances regarding the manner in which the examination (CSE) for 2025 was conducted and seek various relief to the following effect:

“a) Issue a writ of mandamus directing UPSC to release the official answer key, cutoff marks, and evaluation criteria of the CSE Preliminary Examination 2025;

¹ “UPSC”



- b) Constitute an independent expert committee to examine and determine the correct answers to disputed questions in GS Paper I and CSAT of CSE 2025;*
- c) Direct that Petitioners be awarded marks for questions found to be erroneous, ambiguous or deleted without justification, and direct recomputation of scores;*
- d) Direct that Petitioners who cross the cutoff upon corrected evaluation be permitted to appear directly in the CSE 2026 Mains examination;*
- e) In the alternative, direct that Petitioners, particularly those for whom 2025 was the last attempt, be granted one additional attempt in CSE 2026 as compensatory relief;”*

2. At the outset, counsel for the Respondents raise an objection as to the maintainability of the present petition, contending that the UPSC is a notified authority under Section 14 of the Administrative Tribunal Act, 1985 and the dispute raised herein falls within the jurisdiction of the Central Administrative Tribunal². It is submitted that, in view of the judgment of the Supreme Court in ***L. Chandra Kumar vs Union of India & Ors.***,³ the Petitioner, having an efficacious alternative remedy before the CAT, cannot invoke the writ jurisdiction of this Court.

3. Counsel for the Petitioner, on the other hand, relies upon the decision of the Supreme Court in ***Himanshu Kumar & Ors. v. Union of India***⁴ and specifically refers to paragraph 12 of the said judgment, which reads as follows:

“So far as the individual grievances of the petitioners are concerned, they may approach the High Court by invoking its jurisdiction under Article 226 of the Constitution, if so advised. If the Writ Petitions are filed, the High Court may consider and dispose them of expeditiously.”

² “CAT”

³ AIR 1997 SC 1125

⁴ Writ Petition (Civil) No. 118 of 2024



4. While it is correct that the Supreme Court has granted liberty to the Petitioner to invoke the jurisdiction of this Court under Article 226 of the Constitution of India, the same is qualified by the expression “if so advised”. The issue of maintainability or the statutory forum under the Administrative Tribunals Act was neither raised nor adjudicated therein. The said order therefore cannot be read as conferring jurisdiction upon this Court contrary to the statutory scheme.

5. Moreover, in the opinion of the Court, the reliefs sought by the Petitioners, particularly prayers (b) to (e), were not the subject matter of consideration before the Supreme Court. In any event, the objection as to jurisdiction is founded on the binding dictum of the Supreme Court in **L. Chandra Kumar**.

6. The question whether reliefs sought in the present petition can be agitated before the CAT is no longer *res integra*, in view of several decisions, including the judgment of this Court in **Praveen Sharma v. U.P.S.C.**⁵ which holds as follows:

“22. The question that arises in the present case is whether the issues involved herein can be regarded as relating to the examination conducted by the UPSC. This question emerges in the context that there is no challenge to the examination conducted in 2006. Insofar as the 2005 examinations are concerned, that is over. And, the petitioner does not stake any claim in respect thereof because he could not complete that examination as a result of circumstances beyond his control. By way of this petition, the petitioner is seeking a direction from this Court declaring his appearance in the 2005 examination to be disregarded as an attempt. The issue here is not so much with regard to the conduct of the examinations but with regard to the petitioner's eligibility to sit in the examination. Had it been a matter where the examination itself was in question, it would clearly fall within the ratio of the decisions in Pranay Kumar Soni (supra) and Neeraj Kansal (supra), which in turn followed S. Tripathi (supra). Here the issue is with regard to eligibility. In my view, the expression used in Section 14 of the

⁵ 2007 SCC OnLine Del 2086



Administrative Tribunals Act, 1985 is not just “recruitment” but “recruitment, and matters concerning recruitment”. Had the expression only been “recruitment”, there could have been some debate as to whether a condition of eligibility was a part of recruitment. But the expression used in Section 14 is of much wider amplitude inasmuch as it also refers to “matters concerning recruitment”. An eligibility condition would definitely, in my view, fall within the scope of this expression. The question in the present writ petition is whether the petitioner was eligible or not to sit for the 2006 examinations. That is certainly a matter concerning recruitment. Accordingly, the Central Administrative Tribunal would, in view of the Supreme Court decision in L. Chandra Kumar (supra), have to function like the court of the first instance with regard to the question of eligibility raised in the present case because this is the precise area of law for which the Tribunal has been constituted, as indicated by Section 14 (1) (a) of the Administrative Tribunals Act, 1985. It would, therefore, not be open to the petitioner to directly approach this Court and, therefore, it would be appropriate if the petitioner is directed to first approach the Central Administrative Tribunal which, indeed, has jurisdiction to adjudicate upon the issue of eligibility raised by the petitioner herein.”

[Emphasis supplied]

7. In the opinion of the Court, the objection raised by the Respondents has merit. The grievances raised pertain to recruitment and matters concerning recruitment and therefore fall within the jurisdiction of the CAT under Section 14 of the Administrative Tribunals Act, 1985.

8. In view of the availability of an efficacious statutory remedy, this Court is not inclined to entertain the present petition under Article 226 of the Constitution of India. The petition is accordingly disposed of.

9. Liberty is granted to the Petitioners to approach the Central Administrative Tribunal, if so advised. The Court has not commented on the merits of the case. All rights and contentions of the parties are left open.

SANJEEV NARULA, J

FEBRUARY 16, 2026/hc