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

+ W.P.(C) 1889/2026

MAHENDER PRASAD OJHA

.....Petitioner

Through: Mr. Abhishek Upadhyay and
Mr. Antaryami Upadhyay, Adv.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Rohan Jaitley, CGSC with
Mr. Dev Pratap Shahi GP, Mr.
Varun Pratap Singh and Mr.
Yogya Bhatia, Advs.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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11.02.2026

1. The present petition has been filed assailing the correctness of the judgment dated 28.07.2025 [hereinafter referred to as 'Impugned Judgment'] passed by the Principal Bench, Central Administrative Tribunal, New Delhi [hereinafter referred to as 'Tribunal'], dismissing the Original Application (OA) No.3018/2024 titled ***Mahendra Prasad Ojha v Union of India & Anr.***, filed by the Petitioner to consider and allow his candidature for the post of Assistant Commercial Manager (ACM) in terms of Limited Departmental Competitive Examination (LDCE) notification dated 29.10.2024 issued by the Respondents.

2. The Petitioner claims to be suffering with a medical condition, namely Schizophrenia. It is submitted that the Petitioner entered the service of the Respondent No.2/Northern Railways, having been appointed as a Station Master on 08.05.2001. However, in the year



2006, he was declared to be suffering from the aforesaid disease. Whereafter, the Petitioner approached the competent authorities seeking a posting commensurate with his medical condition. In consideration thereof, he was assigned to the post of Head Enquiry and Reservation Clerk (E&RC) in the Commercial Department.

3. Subsequently, the Petitioner preferred an OA No. 3444/2014 before the Tribunal, which came to be disposed of *vide* Order dated 03.09.2015, directing the Respondents to re-examine the matter and assign to the Petitioner a posting suitable with his medical condition within a period of 03 weeks. Pursuant thereto, on 28.01.2021, the Petitioner was posted as Senior Canteen Manager/Staff Canteen under Senior Division Mechanical Engineer (DME)/Train set Depot SSB, in the General Administration Department.

4. On 29.10.2024, a Recruitment Notice was issued inviting applications for filling up vacancies of ACM in the Commercial Department. The Petitioner applied for the said post; however, his candidature was rejected. Aggrieved by such action, he filed OA No.3018/2024, which has been dismissed by the Tribunal. It is this order of dismissal which has been challenged before this Court.

5. We have heard learned counsel representing the parties at length.

6. Learned counsel representing the Petitioner submits that the Petitioner has been shifted to a supernumerary post in the General Administration Department and is left with no further avenue for promotion or career progress. It is contended that the Petitioner has been made to stagnate, despite his medical condition and long years of service.

7. This Court has considered the aforesaid submissions made by



the learned counsel representing the Petitioner.

8. It is evident that the OA No.3018/2024 was filed seeking consideration of the application and candidature of the Petitioner for the post of ACM, which is a post in the Commercial Department, available only to the employees from the said Department. Admittedly, in the year 2024, the Petitioner was not posted in the Commercial Department, in such circumstances, this Court finds no infirmity or error in the Impugned Judgment passed by the Tribunal.

9. However, having regard to the peculiar facts and circumstances of the present case, the Petitioner is granted liberty to make a representation to the Respondent for disclosing his grievances. Upon such representation made, the same shall be considered sympathetically and in accordance with law within a period of next 3 months.

10. Accordingly, the present Petition stands dismissed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

FEBRUARY 11, 2026/JYH/hr