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

+ W.P.(C) 1749/2024

GOVT OF NCT OF DELHI AND ANRPetitioners

Through: Ms. Shubhra Parashar, Mr.
Virender Pratap Singh Charak,
Adv.

versus

BHUPENDER MATHUR AND ANRRespondents

Through: Mr. Umang Tyagi, Mr. Manish
Mathur, Mr. Sanyam Dahiya,
Mr. Zuber Ali, Adv. for R-1.

+ W.P.(C) 1787/2024, CM APPL. 7437/2024

GOVT OF NCT OF DELHI AND ANRPetitioners

Through: Ms. Shubhra Parashar, Mr.
Virender Pratap Singh Charak,
Adv.

versus

KRISHAN KUMARRespondent

Through: Mr. Taiyyab Khan Salmani,
Adv. with Respondent in-
person.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **23.03.2026**

1. The present Petitions shall stand disposed of by this common order.
2. Through the present Petitions, the Petitioners seek quashing of the two final orders, both dated 08.08.2023 [hereinafter referred to as 'Impugned Orders'] passed by the Central Administrative Tribunal,



Principal Bench, New Delhi [hereinafter referred to as ‘Tribunal’], whereby the Original Application (O.A.) preferred by the private Respondents came to be allowed.

3. The private Respondents herein were holding the post of Constable (Exe.) in Delhi Police and had participated in the intra-departmental Promotion List “A” Test conducted in the year 2015, for promotion to the post of Head Constable. Pursuant to the written test for the said promotion, the result was declared on 24.09.2015, however, the private Respondents did not find their names in the selection list. Consequently, the private Respondents in W.P.(C) 1749 of 2024, filed a representation before the Petitioners seeking revaluation of their marks, and in particular the correctness of the answer to Question No.60 pertaining to Section 172 of Indian Penal Code, 1860. However, the said representation, came to be rejected by the Competent Authority *vide* communication dated 06.06.2016.

4. Aggrieved by the dismissal of their representation, the private Respondent in W.P.(C) 1749 of 2024, approached the Tribunal, seeking, *inter alia*, to quash the Order dated 06.06.2016 and a direction to the Petitioners to re-examine their answer sheets and award one additional marks, in the event the controversy pertaining to the correctness of the answer to Question No.60 is decided in their favour.

5. At this stage, it may be highlighted that the private Respondent in W.P.(C) 1787 of 2024, did not file any representation and directly resorted to the option of filing an O.A. before the Tribunal, *inter alia*, seeking to quash the question paper for the Promotion List “A” Test-2015, and re-examine his answer sheet with respect to Question No.60.



6. It may also be highlighted that the impugned Order in W.P.(C) 1787 of 2024 was rendered by the Tribunal, on the basis of its findings returned in the impugned Order in W.P.(C) 1749 of 2024. The Tribunal therein, observed that the rejection Order dated 06.06.2016, made a reference to consultancy with Government Counsel, which remained unexplained. Further, it was also noted that the said Order was a non-speaking one and that the representation of the private Respondents herein, had been decided in a casual manner, in particular, when the issue involved fell within a domain of academic experts.

7. In view of the aforesaid observations, the rejection Order dated 06.06.2016 came to be set-aside and the Petitioners were directed to re-consider the matter and lead to an appropriate decision by way of passing a reasoned order upon afresh representation to be made by the private Respondents. Similarly, the private Respondent in W.P.(C) 1787 of 2024, was also granted a liberty to file a fresh representation, pursuant to which the Competent Authority was to directed to take a decision in the aforesaid terms.

8. Upon a specific query posed by the Court, learned counsel representing the Petitioners is unable to identify and draw the attention of this Court to any infirmity, illegality or perversity in the Impugned Orders so as to warrant any interference.

9. Be that as it may, the Tribunal has, in substance, merely directed the Petitioners to reconsider the matter and pass fresh, reasoned orders upon due consideration of the representations made by the private Respondents.

10. Keeping in view the aforesaid facts and circumstances, this Court does not find it appropriate to interfere with the Impugned



Orders by exercising its extraordinary jurisdiction under Article 226 of the Constitution of India, particularly in the absence of any manifest arbitrariness or jurisdiction error. Moreover, the directions issued by the Tribunal are in the nature of a limited remit, being subject to the final outcome of the decision to be rendered by the Competent Authority, and does not, in any manner, trench upon or interfere with the mode or conduct of the examination.

11. Accordingly, the present Petitions are dismissed. The pending application also stands closed.

12. A photocopy of the order passed today be kept in the connected matter.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MARCH 23, 2026

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