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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 17480/2025**
DELHI METRO RAIL CORPORATION LTD.Petitioner
Through: **Mr. V .S .R. Krishna and Mr. V.**
Shashank Kumar, Advs.

versus

PAVAN KUMAR & ORS.Respondents
Through: **Mr. Nilansh Gaur and**
Mr.Shanker Raju, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE MADHU JAIN

ORDER

% **18.11.2025**

CAV 444/2025

1. As the learned counsel for the respondent has entered appearance in the instant matter, the caveat stands disposed of.

CM APPL. 72157/2025 (Exemption)

2. Allowed, subject to all just exceptions.

W.P.(C) 17480/2025 & CM APPL. 72156/2025, CM APPL.

72158/2025

3. The present petition has been filed, challenging the Order dated 18.09.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as, the 'Tribunal') in O.A. No. 979/2023, titled ***Pavan Kumar & Ors. v. Delhi Metro Rail Corporation Ltd.***, allowing the O.A. filed by the respondents herein with the following directions:

"...We therefore direct the respondent -



DMRC to operationalise the waiting list and consider offering appointment letters to the applicants for the post of JE (Electrical)/JE(Electronics) as applicable (as they are otherwise meritorious) and if found fit in all respects. This exercise should be completed within a period of three months from the date of receipt of a certified copy of this order. Needless to mention that upon appointment the applicants would get all notional benefits like seniority and fixation of pay and allowances. However, there will be no payment of arrears of pay on the principle of 'No work no pay'."

4. The learned counsel for the petitioner submits that the learned Tribunal has failed to appreciate that, by the Advertisement No. DMRC/HR/Rectt./I/2019 dated 14.12.2019, applications were invited not only for the appointment to the posts of Junior Engineer/Electrical and Junior Engineer/Electronics on regular non-executive category posts, but also for Junior Engineer/Electrical and Junior Engineer/Electronics on non-executive posts on contractual basis for two years. He submits that due to COVID-19 pandemic, an informed decision was taken not to appoint persons on the regular posts, while the contractual engagements were processed further. He submits that the contractual employment is purely project based, and therefore, the two cannot be compared.

5. He further submits that no contractually appointed Junior Engineer has been regularised by the petitioner.

6. Issue notice.

7. Notice is accepted by Mr. Nilansh Gaur, the learned counsel appearing on behalf of the respondents. He submits that not only is the



petitioner regularising the contractually appointed Junior Engineers, but also that the plea of financial constraints due to COVID-19 pandemic, is not borne out from the petitioner's financial statements.

8. Keeping in view the submissions made hereinabove, specifically the statement of the petitioner that, due to financial constraints, no regular appointment to the post of Junior Engineer has been made, that the contractual appointments are only project based, and that no contractual employee has been regularised by the petitioner, there shall be a stay on the enforcement of the Impugned Order till further orders of this Court.

9. Let a Counter Affidavit be filed within a period of four weeks from today. Rejoinder thereto, if any, be filed within a period of three weeks thereafter.

10. List on 24th March, 2026.

NAVIN CHAWLA, J

MADHU JAIN, J

NOVEMBER 18, 2025/b/P/Yg