



\$~60

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

+ **W.P.(C) 7570/2018**

HARSH SHRIVASTAVA

.....Petitioner

Through:

versus

UNION OF INDIA AND ANR.

.....Respondents

Through: Mr. Dev P. Bhardwaj, Ms.
Riddhi Grover and Ms. Anubha Bhardwaj,
Advs. for R-1/UIO

Mr. Ravinder Agarwal, Manish Kumar
Singh, Vasu Agarwal, Advs. for R-2/UPSC

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER

%

21.04.2026

1. The dispute in this case relates to the entitlement of the petitioner to be recruited to the IAS as a Physically Handicapped (PH) candidate consequent to the CSE-2017.

2. Mr. Agarwal, learned Counsel for the UPSC, has advanced a preliminary objection that after the filling of the OA before the Tribunal, the result of the Mains examination of the CSE-2017 was declared and appointments were also made. He submits that the petitioner has not impleaded the appointed candidates.

3. Such an objection would have meaning only if there are no vacancies available to accommodate the petitioner in the event he



succeeds in the writ petition.

4. Mr. Agarwal also submits that he is not in a position to inform the Court as to whether any vacancies are still remaining unfilled as the appointments are made by the DOPT.

5. Mr. Bhardwaj, who appears for the DOPT, seeks a day's time to take instructions as to whether any of the vacancies available for persons suffering from locomotor disability pertaining to the CSE-2017 for recruitment to the IAS still remains unfilled.

6. Re-notify on 23 April 2026 as Part-Heard for disposal in the Supplementary List.

7. We request Mr. Bhardwaj to positively obtain instructions, failing which we would have to presume that vacancies are available or whether they have been filled or carried forward and, if carried forward, whether they have been filled in succeeding years.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

APRIL 21, 2026/dsn