

ITEM NO.3

COURT NO.11

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No. 10037/2020

(Arising out of impugned final judgment and order dated 02-12-2019 in WP(C) No. 6266/2019 passed by the High Court Of Delhi At New Delhi)

ATEET BANSAL

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.97173/2020-CONDONATION OF DELAY IN FILING )

Date : 29-08-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Ms. Charu Mathur, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Delay condoned.

Having heard learned counsel for the petitioner and having perused the material placed on record, we find absolutely no reason to consider interference in the order dated 02.12.2019, passed by the Division Bench of the High Court of Delhi at New Delhi, in a petition filed as a Public Interest Litigation('PIL') by the present petitioner.

The High Court, after taking note of variegated reliefs claimed in the petition, has found that the basic grievance indeed stood redressed with DoPT having made mandatory for all the Government Departments/Organisations to post the vacancies on National Carrier Service (NCS) Portal.

The petitioner, who had appeared in-person before the High Court, also attempted to suggest the grievance that for conducting the exams for Grade III and IV posts, exorbitant fees were being charged by the respondents. The High Court observed that the quantum of fees for application to the post of Grade III and IV was extremely relative and someone might always feel it to be exorbitant. The High Court yet left the question open for examination when an individual case raising the issue pertaining to quantum of fees would come before the Court. It was also sought to be suggested before the High Court that even after collecting fees and conducting exams, the departments were not declaring the results. The High Court again observed that no general direction could be issued unless a specific case was brought before the Court by the aggrieved party. With such observations, the writ petition was disposed of.

We find no fault in the approach of the High Court. Rather, having regard to the reliefs as claimed in the petition before the High Court, we are constrained to observe that even while the rules of *locus standi* have been relaxed for PIL, particularly to permit filing of litigation in the nature of a class action when the aggrieved persons may be of uncertain huge number and all the aggrieved persons may not be in a position to approach the Court

ventilating their grievances, such relaxation does not correspondingly invest a litigant with a right to take up any cause in a generalised manner and seek directions from the Court where the issues as raised involve such basic factual aspects which need to be adjudicated in an appropriate manner where the respondents also get fair opportunity to contest the claim sought to be made.

The High Court has been perfectly justified in observing that in relation to the issues concerning charging of fees and conducting of exams, no generalised directions could be issued and the general arguments as made in the matter could not be appreciated by the Courts.

We have no hesitation in giving our imprimatur to the view taken by the High Court.

With the observations foregoing, this petition stands dismissed.

All pending applications also stand disposed of.

(SNEHA DAS)  
SENIOR PERSONAL ASSISTANT

(RANJANA SHAILEY)  
COURT MASTER (NSH)