



2025:DHC:5876-DB



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

Date of decision: 21.07.2025

+ W.P.(C) 16674/2023 & CM APPL. 67205/2023

GOVT OF NCT OF DELHI AND ORSPetitioners

Through: Mr. Sahaj Garg, SPC

versus

MANOJ KUMAR AND ANRRespondents

Through: Mr. Anand Singh & Mr.
Shantanu Shukla, Advs

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioners, challenging the Order dated 26.05.2023 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as, 'Tribunal') in O.A. No.2298/2017 titled *Manoj Kumar & Anr. v. Govt. of NCT of Delhi & Anr.*, allowing the O.A. filed by the respondents herein with the following directions:-

“Accordingly, the OA is allowed, the impugned order dated 11.05.2017 and 22.5.2017 are quashed and set aside. The relaxation so extended by the Competent Authority to the counterpart of the applicant Shri Bharat Bhushan be extended to the applicants as well and their date of regularization be antedated accordingly. The applicants would be entitled for all consequential benefits thereof. The aforesaid



exercise shall be completed within a period of 10 weeks from the date of receipt of a certified copy of this order. It is made clear that if the exercise is completed within the aforesaid period, the applicants would not be entitled to any interest thereon. However, if the respondents fail to comply with the order within the time so stipulated in the present order, the applicants would be entitled to interest at GPF rates. No costs.”

2. The brief facts giving rise to the present petition are that the respondents were initially appointed on *ad hoc* basis as ASI (Stenographer) in the Delhi Police on 11.10.1982 and 29.10.1985, respectively. The respondents, along with their counterparts, with whom they were seeking parity, appeared in the recruitment process initiated for direct recruitment for the post of ASI (Stenographer) in the year 1983, for which the exam was held in the year 1985.

3. It is not disputed that the Hon'ble Lieutenant Governor had given relaxation in the Typing Test and the Shorthand Test for the post of ASI (Stenographer) in favour of the certain candidates, however, the said relaxation was not extended to the respondents. No reasons were given for not extending the said relaxation to the respondents.

4. Before the learned Tribunal and before us, the only plea taken by the petitioners is that the power of such relaxation vests with the Hon'ble Lieutenant Governor, and the same is discretionary. However, neither before the learned Tribunal nor before us, have any reasons been adduced for exercising this power in favour of the other candidates and not the respondents. This would make the exercise of

