



2025:DHC:7784-DB



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

Date of decision: 03.09.2025

+ W.P.(C) 13532/2025 & CM APPL. 55490/2025

KAVITA AND ORSPetitioners

Through: Mr. Siddhant Nath, Mr. Krishna
Murari Singh and Mr.
Bhavishya Makhija, Advs.

versus

GOVT OF NCT OF DELHI AND ORSRespondents

Through: Mrs. Avnish Ahlawat, SC with
Mr. Nitesh Kumar Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed, challenging the Order dated 09.04.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal'), in O.A. No. 1094/2025, titled *Kavita & Ors. v. Govt. of NCT of Delhi & Ors.*, whereby the said O.A. filed by the petitioners was dismissed.

2. The petitioners had filed the above O.A., *inter alia*, challenging the Order dated 21.08.2024 passed by the learned Tribunal in O.A. No. 2334/24, wherein the learned Tribunal held that the EWS (Non-Creamy layer) certificates submitted by the respondent nos. 4 to 17, though submitted belatedly and beyond the cut-off date, should



nonetheless be considered by the respondent nos. 1 to 3 for the purpose of making appointments to the post of TGT (Social Science).

3. The grievance of the petitioners is that they were adversely affected by the said order, as they fell down in the waiting list as a consequence thereof.

4. The learned Tribunal, however, dismissed the aforesaid O.A., observing that its earlier Order dated 21.08.2024 already stood confirmed by this Court upon dismissal of the Writ Petition being, W.P. (C) 3590/2025, titled ***Govt of NCT of Delhi & Anr. v. Neha Singh***, vide Order dated 24.03.2025.

5. The learned counsel for the petitioners submits that the Order dated 24.03.2025 of this Court was in turn based on the Order dated 22.05.2024 read with the Order dated 19.07.2024 passed by a Coordinate Bench of this Court in W.P.(C) 2814/2024, titled ***Govt. of NCT of Delhi & Anr. v. Rishikesh Sharma***. The said Orders, when challenged before the Supreme Court by way of SLP (Civil) Diary No. 17624/25, titled ***Delhi Subordinate Services Selection Board (DSSSB) & Anr. v. Rishikesh Sharma***, have been stayed by the Supreme Court vide Order dated 02.05.2025.

6. We are not impressed with the above submission. Once the challenge to the Order dated 21.08.2024 has been dismissed by this Court, the same cannot be reopened by way of a different petition. Merely because the basis on which the Order dated 24.03.2025 was passed has been stayed by the Supreme Court by way of an *interim* order, would not, in our view, constitute a sufficient ground to recall our Order dated 24.03.2025.

