



2025:DHC:8461-DB



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

Date of decision: 19.09.2025

+ W.P.(C) 13636/2023
MANOJ KUMAR

.....Petitioner

Through: Mr. Anil Singal, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Nitinja Chaudhry,
CGSC with Mr. Rahul
Kumar Sharma, GP and
Mr. Rahul Mourya,
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 24.07.2023 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 3859/2017 titled *Manoj Kumar v. Union of India & Ors.*, dismissing the O.A. filed by the petitioner herein.

2. The petitioner appeared in the Combined Graduate Level Examination, 2016, advertised by the respondent-Staff Selection Commission on 13.02.2016. He qualified the Tier I and Tier II examination. Tier III examination was a descriptive question paper with subjects: (i) Essay, and (ii) Letter. The petitioner appeared for the said



examination. In the instruction to the candidates, it was clearly mentioned as under:

*“Candidates are strictly advised not to write any personal identity, e.g., name, roll no., mobile no., address, etc., in the Answer Sheet. Otherwise their Answer Sheets **SHALL NOT** be evaluated.”*

3. As noted hereinabove, the paper consisted of only two questions. For the second question, the candidates were required to write a letter. The question read as under:

“Assuming that you are Suresh/Seema, write a letter to your younger brother Naresh, highlighting the distinct benefits and shortcomings of Computer Based Recruitment Tests for Multiple Choice Objective Questions.”

4. Admittedly, the petitioner wrote the letter and, at the end, instead of addressing it in the name of Suresh/Seema, gave his own name.

5. Though, the paper was evaluated, and his result declared, later he was awarded zero marks in terms of the above quoted directions, on the ground that he had written his name in the answer sheet.

6. The learned counsel for the petitioner submits that this was an inadvertent *bona fide* mistake of the petitioner, as it is a general human tendency to write one's own name at the end of a letter. He submits that for the said reason, the petitioner could not have been awarded zero marks. He further submits that in fact, the paper of the petitioner had been evaluated, his result declared, and only thereafter, the result was changed by alleging unfair means, only on the ground that the petitioner had written his name at the end of the letter.



7. On the other hand, the learned counsel for the respondents reiterates that the candidates were specifically warned not to write their name, roll no., etc., on the answer sheet, and in case of any such infraction, their answer sheet shall not be evaluated. He submits that since the petitioner admittedly wrote his own name in the answer sheet, he was rightly awarded zero marks by not evaluating the said answer sheet. The learned counsel for the respondents places reliance on the Judgment of Supreme Court in *Secretary, Tamil Nadu Public Service Commission v. A.B. Natarajan and Ors.*, (2014) 14 SCC 95 in support of his submission.

8. We have considered the submissions made by the learned counsels for the parties.

9. In the present case, as is evident from the condition reproduced hereinabove, the candidates have been strictly warned not to write any personal identity, including name in the answer sheet. The purpose of the same appears to be to rule out any bias or unfair means being used at the time of evaluation. This has also been highlighted by the the Supreme Court in *T.N. Public Service Commission* (supra), observing as under:

“14. If the candidates start giving indications with regard to themselves by writing their name or some code word or some indication with an intention to convey the same to an examiner, so that he may have some undue favour, is a thing which is not approved. If such an attempt is permitted to be made, sanctity of the examination work would not be maintained. The entire object behind giving code number etc. would be frustrated if all these things are permitted or tolerated.



15. Normally, a straightforward candidate, who does not want to indulge in any malpractice, would never make any effort to reveal his identity or make any special marking in his answer book. The purpose behind doing something abnormal or something which is not permitted, can be said to be an indication to the examiner about the identity of the candidate. Such an action on the part of the candidate cannot be tolerated if one wants clean, fair and transparent process of selection.

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18. The candidates who had applied for Class-I post, if selected, were to be Class-I Officers of the State of Tamil Nadu. Not following the instructions given to them while appearing in the examination, which had been conducted for their selection, would either mean that they were so careless that they did not read or bother about the instructions to be followed or they wanted to give some indication to the examiner about their identity. In either case, such a candidate cannot be selected. A candidate, who is so careless that he does not bother about his own interest, cannot be expected to become a good officer. Interest of the candidate is to get through the examination and for that purpose he has to follow the instructions. By not following the instructions, he does not take care of his own interest. So, if he has written the answer books carelessly without bothering about the instructions given to him, he is a careless person who must not be appointed as an officer and if he has done it deliberately, then also he should not be appointed as an officer because one who plans such illegalities even before joining his service, cannot be expected to become a fair and straightforward officer. So, in either case, such a candidate cannot be selected for appointment as an officer and that too a Class I Officer of any State.”



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10. The question paper was only of two questions, and the second question required the candidate to write the letter in the assumed name of Suresh/Seema. Therefore, there was absolutely no reason for the petitioner to have written his own name despite the clear direction and warning given by the respondents. The plea of human tendency or *bona fide* error would not absolve the petitioner, and he must face the consequences of his own act. In fact, if we are to take that view, the petitioner should have been awarded zero marks for the said question, as it was to be written in an assumed name of 'Suresh/Seema' and not in his own genuine name.

11. We, therefore, find no infirmity in the Impugned Order passed by the learned Tribunal. The petition is accordingly dismissed.

NAVIN CHAWLA, J

MADHU JAIN, J

SEPTEMBER 19, 2025/bs/RM/ik