



2025:DHC:396-DB



\$~1 (SPL.DB)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ REVIEW PET. 20/2025 IN W.P.(C) 1358/2024

GOVT OF NCT DELHI AND ORSPetitioners
Through: Mr. Gaurav Dhingra and Mr.
Shashank Singh, Advs.

versus

ARUN SINGH BHATTIRespondent
Through: Mr. Soumitra Chatterjee, Adv.

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER (ORAL)

17.01.2025

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C. HARI SHANKAR, J.

REVIEW PET. 20/2025

1. This review petition, at the instance of the respondent in WP (C) 1358/2024, seeks review of the judgment dated 21 November 2024 whereby we allowed the said writ petition and reversed the judgment dated 11 August 2023 passed by the Central Administrative Tribunal¹ in OA 3993/2017.

2. Having heard Mr. Chatterjee, learned Counsel for the review petitioner at some length, we are not persuaded to review our decision.

¹ "the Tribunal", hereinafter



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3. The dispute pertains to recruitment to the post of Trained Graduate Teacher² (Computer Science) in the Directorate of Education, Government of National Capital Territory of Delhi. The prescribed academic qualifications for the said post were as under:

“Bachelors degree in Computer Application (BCA) from a recognized University;

OR

(A) B.E./B. Tech (Computer Science/Information Technology) from a recognized University;

OR

(B) Graduation in Computer Science from a recognized University (provided that the Computer Science subject must be studied in all years as main subject);

OR

Graduation in any subject and 'A' level course from DOEACC Ministry of Information and Technology, Govt of India.”

4. The limited issue arising before it for consideration was identified by the Tribunal, in the order dated 11 August 2023, as “whether the ‘Degree in Information Technology’ is to be considered a degree akin to ‘Computer Science’, if not strictly in terms of equivalence as defined in Recruitment Rules at least in terms of an identical syllabi and academic subjects”.

5. To our mind, no such issue arose before the Tribunal. The prescribed eligibility educational qualifications for the post of TGT (Computer Science) were not couched in terms of equivalence. There were clear cut qualifications which the candidate was required to

² “TGT”, hereinafter



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satisfy and the Tribunal was not, therefore, in our view, justified in entering into the question of equivalence.

6. There is no dispute about the fact that the review petitioner does not possess either a BCA qualification, or a B.E./B.Tech in (Computer Science)/(Information Technology) qualification or a graduation in Computer Science from a recognised university or a graduation in any subject with an 'A' level course from the DOEACC. The qualification possessed by the review petitioner is a BSc in Information Technology, which is not one of the qualifications prescribed for recruitment to the post of TGT.

7. On merits, too, we found that the Tribunal was in error in embarking on the aspect of equivalence, as this is a matter to be left to the concerned and competent expert bodies. We relied on certain judicial authorities for the said purpose.

8. The grievance of the review petitioner, as vocalised by Mr. Chatterjee appears to be that, in respect of certain other candidates, who had also filed similar original applications before the Tribunal, particularly one Yogesh Sharma, a similar view has been taken by the Tribunal a day earlier to the passing of the judgment which was under challenge in the present writ petition and the department did not choose to challenge the said decision. The result, therefore, according to Mr. Chatterjee is that identically situated persons have ended up enjoying varying litigative results.

9. That, unfortunately, is not one of the grounds on which review



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is envisaged under Order XLVII of the CPC, which also applies to writ petitions. Once, we have considered the correctness of the judgment of the Tribunal on merits and have found it to be unsustainable, we cannot be asked to review our decision merely because a similar judgment passed by the Tribunal was not challenged by the department.

10. No other substantial ground, justifying review of our decision has been urged by Mr. Chatterjee.

11. We, therefore, find no cause to review our judgment. The review petition is accordingly dismissed.

C. HARI SHANKAR, J.

AMIT SHARMA, J.

JANUARY 17, 2025/aky

Click here to check corrigendum, if any