



2025:DHC:2848-DB



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

+ W.P.(C) 11322/2023

STAFF SELECTION

COMMISSION & ORS.

.....Petitioners

Through: Mr. Vijay Joshi, Adv.

versus

RUBY & ORS.

.....Respondents

Through: Mr. Ankur Chhibber, Adv for
the Review Petitioner.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

21.04.2025

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REVIEW PET. 216/2025

1. We have heard Mr. Ankur Chhibber, learned Counsel for the Review Petitioner.

2. Mr. Chhibber has essentially advocated two grounds to seek review of our judgment dated 17 March 2025. The first ground is that we have while relying on the judgment in *Dhananjay Malik v State of Uttaranchal*¹, have not taken into account the subsequent decision of the Supreme Court in *Dr. (Major) Meeta Sahai v State of Bihar*.²

¹ (2008) 4 SCC 171

² (2019) 20 SCC 17



3. Mr. Chhibber more specifically submits that *Dhananjay Malik* was relied upon for the principle that, once a candidate participates in a selection, it was not open to the candidate to challenge the advertisement on the basis of which the selection was conducted. He submits that this proposition was revisited in *Dr. (Major) Meeta Sahai* in which the Supreme Court held that the embargo on challenging the advertisement would not apply in a situation in which the case of the petitioner was that the advertisement was contrary to the recruitment rules.

4. We do not find this a ground to review of our judgment, for the simple reason that we have interpreted the recruitment rules to require that the respondent has to study Statistics in all the years of the respondent's graduation. Once this interpretation has been adopted by us, there is no discordance between the recruitment rules and the advertisement, as would justify reliance, by the respondent, on the decision in *Dr. (Major) Meeta Sahai*.

5. Mr. Chhibber further submits that our decision may be contrary to earlier decisions rendered by Coordinate Benches in *GNCTD v Sachin Gupta*³ and *Varun Aneja v UOI*⁴.

6. These are decisions which have been considered by us while

³ 2013 SCC OnLine Del 3045

⁴ 2024 SCC OnLine Del 7639



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passing our judgment. If the manner in which the decisions have been considered is felt to be incorrect, that cannot constitute a basis for review or make out a case of the judgment being suffering from any error apparent on the face of the record.

7. The limited parameters within which the review jurisdiction can be exercised are not satisfied in the present case.
8. The review petition is, therefore, dismissed.

C.HARI SHANKAR, J.

AJAY DIGPAUL, J.

APRIL 21, 2025

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[Click here to check corrigendum, if any](#)