



2025:DHC:7664-DB



\$~62

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

Date of decision: 02.09.2025

+ W.P.(C) 13453/2025 & CM APPL. 55321/2025
UNION PUBLIC SERVICE COMMISSIONPetitioner

Through: Mr.Naresh Kaushik, Sr. Adv.
with Mr.Anand Singh,
Mr.Vardhman Kaushik,
Mr.Archit Gautam, Advs.

versus

VIPLOVE SUDANRespondent

Through: Nemo

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 *Interim* Order dated 21.08.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. 3179/2025, titled ***Viplove Sudan v. Union Public Service Commission***, passing an *interim* order in favour of the respondent in the following terms:

"8. We, accordingly issue the following directions by way of interim relief:

(i) Respondent No. 1 (UPSC) is directed to issue the admit card to the applicant and permit his to appear in the Civil Services (Main) Examination, 2025, at Delhi Centre, commencing from 22.08.2025.

(ii) It is made clear that such permission



2025:DHC:7664-DB



shall be subject to the final outcome of this Original Application.

(iii) The applicant shall not claim any equity or right merely on the basis of his appearance in the examination.

(iv) The result of the applicant shall not be declared without prior leave of this Tribunal.”

2. To give a brief background of facts in which the present petition arises, the respondent having participated in the Civil Services Preliminary Examination-2025, conducted by the petitioner, was declared successful and was to fill up the Detailed Application Form (DAF) between the period 16.06.2025 to 25.06.2025. The respondent claims that due to some technical glitch, he could not download his admit card.

3. On the other hand, it is the case of the petitioner that the respondent never submitted his DAF, and in fact, intimation of this was sent to the respondent with repeated reminders through SMS and *via* email on almost 10 occasions. It was further stated that out of 14,161 candidates, who had qualified for the Civil Service Main Examination-2025, only 25 candidates did not fill their DAF, and therefore, any plea of technical glitch raised by the respondent is false.

4. The learned senior counsel for the petitioner submits that the respondent had intentionally approached the learned Tribunal on the last date, just before the Mains Examination, concealing vital information from the learned Tribunal, and also the fact that various reminders have been sent to his stating that his DAF has not been received by the petitioner.



5. He further submits that the plea of technical glitch raised by the respondent is completely false. In support, he draws our attention to the fact that on 16.06.2025, 880 applications were submitted, on 17.06.2025, 2143 applications were submitted, and on 24.06.2025, 760 applications have been submitted. He has also drawn our attention to various messages sent to the respondent warning him that his DAF has not been received by the petitioner. He submits that, in fact, before the learned Tribunal a submission has been made that no *interim* relief on basis of a false assertion by the respondent deserves to be granted. He submits that the learned Tribunal, however, has not adverted to the above submission in the Impugned Order.

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

7. The learned Tribunal in its Impugned Order has observed that these issues would have to be considered and as the Mains Examination was scheduled to commence on 22.08.2025, refusal to grant *interim* relief would make the application infructuous and would result in irreparable loss to the respondent.

8. The fact remains that pursuant to the *interim* order passed by the learned Tribunal, the respondent has appeared in the Mains Examination conducted by the petitioner. The OA has been directed to be listed on 18.09.2025 for hearing and, in the meantime, it has been directed that the result of the respondent shall not be declared without the leave of the learned Tribunal. We, therefore, are of the opinion that the interest of the petitioner has been adequately protected. At the same time, in case the learned Tribunal finds that the



2025:DHC:7664-DB



respondent has approached the learned Tribunal with unclean hand by concealing vital information or misstating facts, we would expect the learned Tribunal to take a strict action against the respondent in that regard.

9. Our above observation, however, should not be read as reflecting our opinion on the merits of the matter. The issues raised by the petitioner and the respondent would have to be determined by the learned Tribunal and appropriate directions would need to be passed.

10. As the issue involved in the present case pertains to a recruitment process, we would expect the learned Tribunal to decide on the OA on 18.09.2025, that is, the date fixed in the said OA.

11. The petition is disposed of in the above terms. Pending application is also disposed of being infructuous.

NAVIN CHAWLA, J

MADHU JAIN, J

SEPTEMBER 2, 2025/Arya/VS