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**IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 04.09.2025***

+ W.P.(C) 13643/2025  
SUMIT PANWAR

.....Petitioner

Through: Mr.Rajat Aneja, Ms.Poonam  
Anand and Mr.Anant Chaitanya  
Dutta, Advs.

versus

**GOVERNMENT OF NCT OF DELHI AND OTHERS**

.....Respondents

Through: Mrs.Avnish Ahlawat, SC for  
GNCTD (Services) with  
Mr.Nitesh Kumar Singh, Adv.

**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE MADHU JAIN****NAVIN CHAWLA, J. (ORAL)****CM APPL. 55949/2025 (Exemption)**

1. Allowed, subject to all just exceptions.

**W.P.(C) 13643/2025**

2. This petition has been filed by the petitioner, challenging the Order dated 17.05.2019 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 4534/2017, titled *Manoj Kumar & Ors. v. Govt. of NCT of Delhi & Ors.*. In the said O.A., the petitioner was the applicant no.18.

3. The learned Tribunal, by the Impugned Order, was pleased to



dismiss the O.A. filed by the applicants, including the petitioner herein.

4. Aggrieved by the same, some of the applicants approached this Court by way of W.P.(C) 9762/2019. A batch of other Writ Petitions challenging similar orders of the learned Tribunal were also listed before this Court.

5. This batch was disposed of by this Court *vide* its common Judgment dated 01.07.2025, observing as under:

*“69. Keeping in view the above, we direct that the respondent no.3/DSSSB, in consultation with the respondent no.1/Government of NCT of Delhi and the respondent no.2/Delhi Fire Service Department, shall re-draw the result of the recruitment process strictly in accordance with the criteria laid down in the Advertisement No.01/14 dated 27.01.2014, that is, with a weightage of 200 marks for the Written Test and by treating the PET and the DST as only qualifying in nature. For the PET, the minimum qualifying marks would be considered as 33% in the three tests as mentioned in the Office Order dated 01.06.2016. In case any of the petitioners is found to be eligible for appointment on the basis of this review merit list, they shall be appointed to the said post of Fire Operator with notional seniority to be placed below the already selected candidates.*

*70. Such selected petitioners would also be entitled to notional fixation of their pay, however, they will not be entitled to payment of actual pay or allowances till the date of their appointment. The entire exercise must be completed by the respondent no.3 within a period of eight weeks from today.*

*71. Taking into account that the selection process had culminated in the year 2017, we, however, restrict the relief only to the*



*petitioners in the present set of petitions or any other petitions/OA challenging the impugned selection process that may be pending as on today.”*

6. Seeking similar relief, the petitioner has now challenged the Impugned Order passed by the learned Tribunal. He submits that he is identically situated as the petitioners in the batch of petitions that were disposed of by this Court *vide* the above-referred Judgment. He further submits that only due to his pecuniary constraints and other valid reasons, he could not approach this Court within time along with the other co-applicants in W.P.(C) 9762/2019. He also submits that since he pursued his remedies up to the level of the learned Tribunal, he cannot now be denied relief as this Court has already found illegality in the entire selection process conducted by the respondents. In support of his submissions, the learned counsel for the petitioner places reliance on the Judgments of the Supreme Court in ***K.C. Sharma & Ors. v. Union of India & Ors.***, (1997) 6 SCC 721; ***Union of India & Ors. v. Tarsem Singh***, (2008) 8 SCC 648; ***State of Karnataka & Ors. v. C. Lalitha***, (2006) 2 SCC 747, and the Judgment of the Rajasthan High Court, Jaipur Bench in ***Naresh Singhal v. State of Rajasthan & Ors.***, 2024 SCC OnLine Raj 3706; and also of the High Court of Jammu and Kashmir in ***Mehmooda & Ors. v. State of J&K through Commissioner Secretary to Govt. Industries & Commerce Department & Anr.***, 2023 SCC Online J&K 1295.

7. We have considered the submissions made by the learned counsel for the petitioner.

8. We, in our Judgment dated 01.07.2025, while taking note of the



fact that the selection process pertained to the year 2014 and culminated in 2017, and that the impugned order of the learned Tribunal was passed around 04.09.2018, restricted the relief only to the petitioners before this Court, or to such other applicants who had filed similar petitions or O.As. challenging the impugned selection process and whose matters were pending as on the date of the judgment.

9. We find that the petitioner had given up his claim for selection after the passing of the Impugned Order of the learned Tribunal and remained a fence-sitter thereafter, awakening only after passing of our judgment. Therefore, merely because some other applicants persisted with their claims and eventually succeeded before this Court, the petitioner cannot now be allowed to re-agitate his claim after almost six years of the dismissal of his OA by the learned Tribunal.

10. We, therefore, find no merit in the present petition. The same is, accordingly, dismissed. The pending application also stands disposed of as having been rendered infructuous.

11. There shall be no order as to costs.

**NAVIN CHAWLA, J**

**MADHU JAIN, J**

**SEPTEMBER 4, 2025/sg/DG**