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

Date of decision: 27.08.2025

+ W.P.(C) 13051/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr.Jagdish Chandra, CGSC,
Mr.Sujeet Kumar, Adv.

versus

PAWAN KUMARI & ORS.

.....Respondents

Through: Mr.Amit Chawla, Mr.Vishesh
Sirohi, Advs. for R-1, 3, 5, 6,
12.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

CM APPL. 53425/2025 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 13051/2025 & CM APPL. 53424/2025

2. This petition has been filed, challenging the Order dated 27.08.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No.1841/2020, titled ***Pawan Kumari & Ors. v. Union of India & Ors.***, allowing the said O.A. filed by the respondents herein, setting aside the Result Notification dated 05.11.2020 issued by the petitioners, and directing the petitioners to consider the case of the respondents, evaluate their descriptive answer-sheets, and if found



eligible on merits, give them appointment within a period of two months from the date of receipt of a certified copy of the Order.

3. At the outset, we would note that the Impugned Order has been passed on 27.08.2024, and though the present petition has been filed on 26.03.2025, the same has been listed, for the first time, before us only today, that is, after a year of the passing of the Impugned Order. There is no justified reason for this delay.

4. Even otherwise, we find no merit in the present case.

5. The admitted facts are that pursuant to the Notification dated 22.04.2019 for Multi-Tasking (Non-Technical) Staff Examination-2019, the respondents applied for the same and cleared the Tier-I Computer Based Examination. They appeared in Tier-II Examination (Descriptive Paper), however were awarded Zero marks in the result declared, as they had failed to append their signatures on the answer-sheets. It is admitted that the respondents had appended their thumb impressions on the answer-sheets. The answer-sheets were also signed by the invigilator. The respondents had also signed on the attendance sheets. Therefore, there was no dispute on their identity.

6. In similar facts, this Court in ***Union of India & Ors. v. Rupesh Kumar Jha & Ors.***, 2024:DHC:1641-DB, has dismissed a similar challenge of the petitioners therein, observing as under:

“12. As noted hereinabove, the only submission of learned counsel for the petitioner is that the mistake committed by the respondents was not a trivial mistake and the failure on their part in not affixing their signatures created a doubt regarding their identity itself. On the other hand, it has been urged by the respondents that there was



absolutely no question of their identity being in doubt, especially when they had, during the course of the very same exam, signed at two different places and had also affixed their thumb impressions on the very same opening sheet where they inadvertently omitted to sign.

13. Having given our thoughtful consideration to the rival submissions of learned counsel for the parties, we are unable to agree with the learned counsel for the petitioner that the failure on the part of the respondents in not affixing their signatures on the opening page of the answer sheets was so grave so as to warrant cancellation of their candidature. In the facts of the present case, when they had already signed on two different places during the course of the very same exam, the lapse on the part of the respondents is in our view a trivial one, which did not play any part in the selection process. Further, taking into account the admitted position that the respondents had, during the same exam, appended their signatures on the attendance sheet as also on the declaration form and had also affixed their thumb impression on the opening page of the answer sheet, we fail to appreciate that how their identity can be said to be under any doubt. We also find that even otherwise the learned Tribunal has opined and in our view rightly so, that once the thumb impressions of the respondents were available on their answer sheets, there could not be any doubt about their identity. We, therefore, have no hesitation in agreeing with the Learned Tribunal that the mistake on the part of the respondents was a trivial mistake, for which they should not be penalised.

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18. We are also in agreement with the findings of the learned Tribunal that even though the opening page of the answer sheets were not signed by the respondents, the answer sheets were duly accepted by the invigilators without



noticing that they were unsigned. In fact, the petitioners have no justification as to why the invigilators, who had themselves signed on these very opening sheets, did not notice the omission by the respondents at the time of the examination and as to why they accepted the answer sheets without directing them to sign on the same before permitting them to leave the examination centre. We cannot lose sight of the fact that we are dealing with the future of young candidates who, perhaps on account of the anxiety to appear in such a competitive exam and the requirement to sign at multiple places, inadvertently omitted to sign the opening sheet where they duly affixed their thumb impression. This lapse on part of these young candidates has to be seen in the context of the requirement to sign at the multiple places during the exam when the candidates are already under stress as also the fact that the answer sheets without their signatures at the opening page were duly accepted by the invigilators. It would, therefore, not be incorrect to say that if there was a lapse on part of the candidates, there was an equal or if not greater lapse on the part of the invigilators as well, who were duty bound to ensure that only properly filled answer sheets are accepted.”

7. In view of the same, we find no merits in the present petition. The same is, accordingly, dismissed.
8. Pending application is also dismissed being infructuous.

NAVIN CHAWLA, J

MADHU JAIN, J

AUGUST 27, 2025/Arya/ik