



2025:DHC:7565-DB



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

Date of decision: 29.08.2025

+ W.P.(C) 13703/2023 & CM APPL. 54098/2023
GNCT OF DELHI AND ANR

.....Petitioners

Through: Mr.Sujeet Kumar Mishra &
Mr.Harsh Kumar Pandey, Advs

versus

RUPESH KUMAR & ANR.

.....Respondents

Through: Mr.M.K. Bhardwaj, Adv

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 Order dated 16.12.2022 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as, 'Tribunal') in O.A. No. 3045/2015, titled ***Rupesh Kumar v. Govt. NCT of Delhi & Anr..***, whereby the learned Tribunal disposed of the O.A. filed by the respondents herein with a direction to the petitioners to place the matter before an expert body and to supply a copy of the said report to the respondents.

2. The petition also challenges the Order dated 04.07.2023 passed by the learned Tribunal in M.A. No. 2069/2023 in R.A. No. 88/2023, whereby the learned Tribunal refused to entertain the review



2025:DHC:7565-DB



application filed by the petitioners, holding that no error had been committed in the Order dated 16.12.2022.

3. The brief facts giving rise to the present petition are that the respondents, pursuant to an advertisement issued by the petitioner inviting applications for the posts of Librarian (Post Code No. 69/10 and 02/13), applied for the same. The examination for the said posts was conducted on 31.08.2014, and the draft answer key was uploaded by the petitioners on 10.09.2014. The respondents submitted a representation against the same, pointing out discrepancies in respect of fourteen questions. Thereafter, the petitioners uploaded the final answer key on 01.12.2014, which was subsequently revised by a notice dated 12.01.2015 and again on 23.02.2015. Aggrieved thereby, the respondents filed the above O.A., which was disposed of by the learned Tribunal by way of the Impugned Order dated 16.12.2022.

4. From a perusal of the Impugned Order, it is apparent that the learned Tribunal has not dealt with the objections raised by the respondents against the final answer key, and has merely observed that the same should be considered by an expert body, issuing the impugned directions accordingly. It is the case of the petitioner that, before issuing the final answer key, an expert body had already been constituted to examine the discrepancies in the draft answer key, and the final answer key was published only on the basis of its report. These facts were neither mentioned nor considered on merits in the impugned order. The impugned order, to say the least, is most cryptic and without reasons.

5. Accordingly, we have no option but to set aside the Impugned



2025:DHC:7565-DB



Orders dated 16.12.2022 and 04.07.2023, and to remand the matter back to the learned Tribunal with a direction to reconsider the same on merits. The O.A. shall stand restored to its original number.

6. The parties shall appear before the learned Tribunal on 17th September, 2025. All pleas of both the parties shall remain open for consideration by the learned Tribunal upon such remand.

7. The petition, along with the pending applications, is disposed of in the above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

AUGUST 29, 2025/rv/DG