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

+ W.P.(C) 6591/2026

PARDEEP KUMAR

.....Petitioner

Through: Mr. Anuj Aggarwal, Ms Tanya Rose, Ms. Kritika Matta, Mr. Nikhil Pawar, Mr. Lovekesh Chauhan and Ms. Anjali Bansal

versus

GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Nitesh Kumar Singh, Ms Aliza Alam, Mr Mohnish Sehrawat for Mrs Avnish Ahlawat SC GNCTD

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER

14.05.2026

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CM APPL. 32476/2026 (for exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioner had applied for recruitment to the post of TGT (Hindi)(Male), consequent to Advertisement 02/2021 issued by the



Department of Education¹. The selection was undertaken by the Delhi Subordinate Services Selection Board². The petitioner is a candidate belonging to the Economically Weaker Sections³. A cut-off of 81.82 marks was stipulated for EWS candidates to be included in the select list. The petitioner scored 101.52 marks, which was above the cut-off.

4. The selection process was subject matter of an earlier batch of Original Applications headed by OA 2473/2022, filed before the Central Administrative Tribunal⁴. By order dated 19 October 2022, the Tribunal directed the respondents to complete the appointment process of all meritorious candidates within one year of publication of the result. As there was no compliance with this order, the present petitioner, along with other candidates, filed CP 734/2023 before the Tribunal, seeking initiation of contempt proceedings against the respondent.

5. A High Powered Committee was constituted by the respondent on 4 May 2023 to examine the issue of validity of the EWS certificates submitted by the candidates. The Committee, in its report dated 5 February 2024, recommended that the candidates who had not obtained EWS certificates by the cut-off date should not be considered for appointment, and those already appointed be removed from service. Implementation of these directives resulted in the creation of five additional EWS vacancies for the post of TGT (Hindi). Staking his claim to these vacancies, the petitioner reapproached the Court by

¹ "DOE", hereinafter

² "DSSSB", hereinafter

³ "EWS", hereinafter

⁴ "the Tribunal", hereinafter

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way of OA 3857/2024.

6. The Tribunal has, by judgment dated 27 March 2026, rejected the OA, *inter alia* on the ground that by the time the aforesaid five vacancies had arisen, the life of the panel had expired.

7. Mr. Aggarwal, learned counsel for the petitioner, submits that owing to the respondents' mistake in considering candidates who had submitted invalid EWS certificates, the petitioner lost out and ineligible candidates were appointed.

8. To a query being addressed to him in this regard by this Court, Mr. Singh submits that the DSSSB does not examine the eligibility of the candidates or the validity of the certificates produced by them and that the said task is undertaken by the user Department.

9. There is no dispute that, in the present case, the DOE, as the user Department, was desirous of appointing the petitioners. The petitioners appeared to have lost out only because in the merry-go-round between the DSSSB and the DOE in ascertaining the eligibility of the candidates who applied, the life of the panel, which was of one year, has expired. If the DSSSB had taken the care to ensure that only eligible candidates participated in the selection, this would not have happened.

10. We find ourselves unable to subscribe to such a situation in which the candidates who have submitted illegible EWS certificates



were considered and selected and candidates such as the petitioner who had submitted proper certificates were not selected, even though they otherwise qualified on merits.

11. In these circumstances, issue notice to show cause as to why *rule nisi* be not issued.

12. Notice is accepted on behalf of the respondents by Mr. N.K. Singh.

13. Counter affidavit be filed within two weeks with an advance copy to learned counsel for the petitioner who may file rejoinder thereto, if any, within one week thereof.

14. Renotify on 7 July 2026 for disposal in the Supplementary List.

15. As the case relates to appointment and given the nature of the dispute, no adjournment would be granted on the next date of hearing.

16. Both sides are directed to place on record short notes of their respective written submissions not exceeding four pages each, after exchanging copies with each other, at least a week in advance of the next date of hearing.

CM APPL. 32475/2026 (for additional documents)

17. This application has been filed by the petitioner seeking



permission to file additional documents.

18. For the reasons stated in the application, the same is allowed.
Application stands disposed of.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

MAY 14, 2026/yg