

(2025) 08 DEL CK 0688

In the Delhi High Court

Case No : Writ Petition (C) No.12150 Of 2025

Union Public Service Commission

APPELLANT

Vs

Molshree Aggarwal And Ors

RESPONDENT

Date of Decision : 12-08-2025

Acts Referred:

Citation : (2025) 08 DEL CK 0688

Hon'ble Judges : Navin Chawla, J;Madhu Jain, J

Bench : Division Bench

Advocate : Naresh Kaushik, Vardhaman Kaushik, Anand Singh, Archit Gautam, Shantanu Shukla, Rahul Bajaj, Amritesh Mishra, Amar Jain, Sarah, Sehreen, Shashank Dixit, Kunal Raj, Charu Khandelwal

Final Decision : Disposed Of

Judgement

Navin Chawla, J

CM APPL. 49561/2025 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 12150/2025 & CM APPL. 49560/2025

2. This petition has been filed by the petitioner, challenging the Orders dated 14.02.2025 and 07.07.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the ?Tribunal?) in M.A. No. 407/2025 and M.A. No. 2635/2025 in O.A. No. 3553/2024, titled Molshree Aggarwal v. Union Public Service Commission (UPSC), respectively.

3. By the Order dated 14.02.2025, the learned Tribunal had passed the following interim direction in the O.A. filed by the respondents:

"12. Meanwhile, by way of interim relief, we direct respondent no.1, i.e., UPSC to permit the applicants to appear in the CSE 2025 from Categories (d) and (e) of Section 34(1) of the said Act. Since no reservation is provided for Category (d),

the applicants would not be able to submit an online application, and therefore, the UPSC shall allow the applicants to apply from Category (e). It is made clear that even though the applicants will be permitted to apply under Category (e) of Section 34(1), they will be considered eligible from categories (d) and (e) of Section 34(1) of the said Act, of course, depending upon the final outcome of the subject OA.”

4. By the Impugned Order dated 07.07.2025, the learned Tribunal again passed the following direction:

“The issue raised by Mr. Alam will be adjudicated at the stage of final hearing. Having considered the matter at a prima facie stage and in view of the interim order dated 14.02.2025, wherein it was clearly recorded that the relief is subject to the outcome of the OA, we are of the view that UPSC cannot resist the applicant's prayer for declaration of results of the Civil Services (Preliminary) Examination, 2025. Even if the UPSC declares the result and the applicant is successful and permitted to appear in the main examination, the entire process would remain subject to the final outcome of the OA. We accordingly direct respondent no. 1, UPSC, to declare the result, i.e., whether the applicants have secured marks above the cut-off for Category (e) under Section 34(1) of the RPwD Act, 2016. Respondent no. 1, UPSC, is further directed that in the event the applicants qualify in the Preliminary Examination, they shall be permitted to appear for the Civil Services (Main) Examination, 2025, under Categories (d) and (e) of Section 34 of the RPwD Act, 2016. MA stands disposed of.”

5. Though the O.A. was being listed for final hearing by the Impugned Orders, it has not been heard and we are now informed that it is listed for final hearing on 21.08.2025.

6. The petitioner is aggrieved by these Interim Orders, contending that they would cause administrative issues in the entire selection process at a later stage.

7. On the other hand, the learned counsel for the respondent nos. 1 and 2, who appears on advance notice of this petition, submits that the petitioner has not complied with the interim direction of the learned Tribunal and has not declared the result of the respondent nos. 1 and 2 despite the said direction. Faced with this non-compliance, the learned Tribunal, by an Order dated 06.08.2025 passed in CP No. 608/2025 in the above O.A., has granted further time to the petitioner to comply with the Order dated 07.07.2025, failing which the Secretary, UPSC, has been directed to appear before the learned Tribunal on 12.08.2025, that is, today. The matter has now been stood over for 13.08.2025.

8. The learned senior counsel for the petitioner submits that tomorrow the result of the respondent nos. 1 and 2 shall be produced before the learned Tribunal in a sealed cover, and that further directions of the learned Tribunal shall be abided by. He, however, reiterates that by these Interim Orders, the O.A. cannot be finally allowed by the learned Tribunal.

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

10. As the learned senior counsel for the petitioner submits that the result of the respondent nos. 1 & 2 shall be produced before the learned Tribunal tomorrow, that is, 13.08.2025, and that further directions of the learned Tribunal in this regard shall be complied with, we do not interfere with the Impugned Orders at this stage. However, keeping in view the nature of the matter and the grievance raised by the parties, we request the learned Tribunal not to grant any further adjournment and to take up the O.A. for final hearing on 21.08.2025, when it is listed.

11. The learned counsels for the parties have assured us that on the said date, they will not seek any adjournment before the learned Tribunal and shall finally argue the matter before it.

12. As the petitioner has undertaken to produce the result before the learned Tribunal tomorrow and to abide by the further directions issued by the learned Tribunal, the personal appearance of the Secretary, UPSC, shall stand exempted.

13. Needless to state that the Interim Orders that are being passed by the learned Tribunal, shall not create any equity or right in favour of the respondent nos. 1 & 2.

14. The petition is disposed of in the above-said terms

15. Dasti.