

ITEM NO.4

COURT NO.3

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 92/2022

ARJIT SHUKLA & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(FOR ADMISSION and IA No.19898/2022-EXEMPTION FROM FILING O.T.)

Date : 31-03-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Mr Gopal Sankaranarayanan, Sr Adv.
Mr. Shashank Singh AOR
Mr. Anupam Chaudhary, Adv.
Ms. Tanya Srivastava, Adv.
Mr Mrinal Kumar Sharma, Adv.
Mr Manoj Kumar Dwivedi, Adv.
Mr Mohd Asad Khan, Adv

Mr. Prashant Bhushan, Adv.
Mr. Shashank Singh AOR
Mr. Anupam Chaudhary, Adv.
Ms. Alice Raj, Adv.
Mr Mrinal Kumar Sharma, Adv.
Mr Manoj Kumar Dwivedi, Adv.
Mr Mohd Asad Khan, Adv

For Respondent(s)

Ms. Aishwarya Bhati, Ld ASG
Ms. Ruchi Kohli, Adv.
Ms. Deepabali Dutta, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. O.P.Shukla, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Naresh Kaushik, Adv.
Mr. Vardhman Kaushik, AOR
Mr. Dhruv Joshi Adv.
Mr. Manoj Joshi Adv
Mr. Yogesh Yadav Adv
Mr. Anand Singh Adv

Mr. Prafful Saini Adv
Mr. Nishant Gautam Adv
Mr. B Purushottama Reddy Adv
Ms. Lalitha Kaushik AOR
Ms. Elaisha Asher Adv

UPON hearing the counsel the Court made the following
O R D E R

The application for impleadment (IA No. 41725 of 2022) is allowed.

Heard learned counsel for the parties.

It is the case of the petitioners/intervenors that they have cleared preliminary examinations. There are similarly placed persons who, after clearing the preliminary examination, could not appear in the final examination owing to being infected by Covid-19 at the relevant time, as is evident from the medical certificate (testing reports).

The petitioners had made a representation to the concerned authority but the same has been rejected. However, now the petitioners are relying on the favourable recommendation recently made by the Parliamentary Committee vide report dated 24.03.2022. The relevant portion thereof reads thus:

"4.16 The Committee is of the opinion that COVID-19 has caused untold agony and insurmountable sufferings to many. The whole of India had come

to a standstill, lives and livelihoods got disrupted and the student community was also adversely affected. Keeping in view the hardships faced by the student community during the first and second COVID waves, the Committee recommends the Government to change its mind and sympathetically consider the demand of CSE aspirants and grant an extra attempt with correspondent age relaxation to all conditions."

In light of the recommendation of the Parliamentary Committee, we dispose of this petition with directions to the appropriate authority to re-examine the representation made by the petitioners and similarly placed persons afresh and take appropriate decision, as may be advised, within two weeks.

We may not be understood to have expressed any opinion either way on the nature of decision to be taken by the competent authority who has been bestowed with such discretion under Regulation 4 of the Indian Administrative Service (Appointment by Competitive Examination) Regulations, 1955.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)

*Revised is made only for the purpose of appearance.