

ITEM NO.801

COURT NO.2

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).779/2022

AKANSH DHULL & ORS.

Petitioner(s)

VERSUS

UNION PUBLIC SERVICE COMMISSION & ORS.

Respondent(s)

(FOR ADMISSION and IA No.136285/2022-EX-PARTE STAY)

Date : 14-09-2022 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. P.S. Patwalia, Sr. Adv.
Ms. Tanya Shree, AOR
Ms. Harshika, Adv.
Mr. Ritu Raj, Adv.

For Respondent(s) Ms. Aishwarya Bhati, ASG
Mr. Aman Sharma, Adv.

for UPSC Mr. Naresh Kaushik, Adv.

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

- 1 Mr P S Patwalia, senior counsel appearing on behalf of the petitioners, mentioned the petition for early listing.
- 2 Having due regard to the urgency, the petition is taken on board.
- 3 The Civil Services (Mains) Examination is due to be conducted from 16 September 2022. The five petitioners have duly qualified at the Preliminary Examination which was conducted on 22 June 2022.

- 4 In terms of the Civil Services Exam Rules 2022, the candidates were required to submit proof of their having completed the qualifying examination on or before the last date prescribed for submitting Detailed Application Form - I for the Mains Examination. The last date would, therefore, be 15 July 2022. The results of Delhi University, where four petitioners had appeared for their graduate examinations, were declared on 16 July 2022. The results for one of the petitioners who had appeared for the graduate examination from Kurukshetra University was declared subsequently.
- 5 In these circumstances and having regard to the above factors, we direct that the petitioners shall be allowed to appear for the Civil Services (Mains) Examination, which is due to commence on 16 September 2022. This shall be without prejudice to the rights and contentions of the parties and subject to further orders.
- 6 We also clarify that since this Court has been moved for urgent relief, the respondents are permitted to file their counter affidavit within a period of four weeks raising all pleas which are available in law.
- 7 The Detailed Application Form - I shall be accepted provisionally for the purpose of enabling the petitioners to appear at the Mains Examination, subject to the final outcome of these proceedings.
- 8 No equities shall be created in favour of the petitioners by this order.
- 9 Mr Naresh Kaushik, learned counsel appearing on behalf of UPSC, shall transmit a copy of this order to the UPSC.
- 10 Mr Naresh Kaushik states that two of the petitioners have instituted a petition under Article 226 of the Constitution before the High Court of Delhi.

- 10 Mr P S Patwalia states that the petitioners, who have filed the petition, would unconditionally withdraw the petition before the High Court of Delhi.
- 11 List the petition on 14 October 2022.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR