

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

Petition(s) for Special Leave to Appeal (C)...../2015
CC No(s). 396/2015

(Arising out of impugned final judgment and order dated 21/08/2014
in WPC No. 2224/2014 passed by the High Court of Delhi at N. Delhi)

CHANDRESH KUMAR TRIPATHI AND ORS Petitioner(s)

VERSUS

CHAIRMAN CUM CHIEF M. D. AND ORS Respondent(s)

(with appln. (s) for c/delay in filing SLP and c/delay in refiling
SLP and office report)

Date : 19/01/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Mrs. Rani Chhabra, Adv.

For Respondent(s) Ms. Paromita Majumdar, Adv.
For Mr. Ankur Mittal, Adv.

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

Delay condoned.

The Division Bench of the High Court while setting aside the order of the Central Administrative Tribunal made it clear that since the Rules do not provide for grant of grace marks, the direction of the Tribunal was illegal and cannot be sustained. Learned counsel for the petitioners, by referring to the affidavit of the applicant filed before the Tribunal, pointed out such grant of grace marks against the post of JAO, Part-II Examinations of 2000, 2003 & 2007. Since, it is tacitly admitted that there is no provision in the Rules or any other proceedings for grant of such marks, reliance placed upon such illegality committed in the past cannot be a ground to sustain the order of the Tribunal. We,

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therefore, do not find any scope to interfere with the order of the Division Bench of the High Court. We only direct the respondent-State not to violate the Rules by granting such grace marks in future.

With the above observations and directions, the special leave petition stands dismissed.

(NARENDRA PRASAD)
COURT MASTER

(SHARDA KAPOOR)
COURT MASTER