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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 10006/2025, CM APPL. 41572/2025 & CM APPL.  
41573/2025  
TEENA CHOUDHARY .....Petitioner

Through: Mr. Saurav Agrawal, Mr. Asav  
Rajan, Mr. Ajay Sharma, Mr. Mayank  
Biyani, Mr. Sanwar Chaudhary, Ms. Mehak  
Joshi and Mr. Saurajay Nanda, Advs.

versus

UNION PUBLIC SERVICE COMMISSION &  
ANR.

.....Respondents

Through: Mr. Ravinder Agarwal, Mr.  
Manish Kumar Singh and Mr. Vasu  
Agarwal, Advs. for R-1/UPSC.

Mr. Syed Abdul Haseeb, CGSC for  
R-2/UOI.

**CORAM:**

**HON'BLE MR. JUSTICE C. HARI SHANKAR**

**HON'BLE MR. JUSTICE AJAY DIGPAUL**

**ORDER**

% **16.07.2025**

**CM APPL. 41573/2025 (Exemption)**

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

**W.P.(C) 10006/2025**

3. The petitioner aspires for induction to the Central Armed Police



Forces<sup>1</sup>, via the CAPF Examination 2024. She belongs to the Other Backward Classes and to the Non-Creamy Layer; ergo, she is an “OBC-NCL” candidate.

4. The Notification for the CAPF 2024 Examination was issued by the UPSC on 24 April 2024. With respect to OBC-NCL category candidates, the Notification provided thus:

“The OBC candidates applying for CAPF (ACs) Exam, 2024 must produce OBC (Non-Creamy Layer) certificate based on the income for the Financial Year (FY) 2023-24, 2022-23 and 2021-22 and issued on/after 01.04.2024 (after completion of FY 2023-24) but not later than the closing date of the application for Central Armed Police Forces (Assistant Commandants) Examination, 2024 i.e. 14.05.2024.”

5. *Prima facie*, it appears incongruous that the Notification of 24 April 2024 would call upon OBC-NCL candidates to produce the OBC-NCL certificate issued between 1 April 2024 and 14 May 2024. By the time the notification was issued, 23 days after 1 April 2024 had already elapsed, so that, effectively, the candidate would have with her/him only 20 days left within which the OBC-NCL certificate ought to have been issued.

6. This is however, a larger aspect of the matter which we shall consider when the writ petition is heard.

7. In this case, we find that the petitioner is, in fact, in possession of an OBC certificate issued on 30 April 2024, which was within the

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<sup>1</sup> “The CAPF” hereinafter  
W.P.(C) 10006/2025



stipulated window period, and had also made reference to the certificate in the application form.

**8.** Mr. Ravinder Agarwal, learned Counsel for the respondents, submits that the petitioner did not upload the said certificate but instead uploaded an earlier certificate which was issued on 16 January 2024.

**9.** He submits that having uploaded a certificate which was not issued during the window period, the petitioner cannot take advantage of the fact that she did, in fact, have a certificate which was, in fact, issued during the window period.

**10.** We are unhappy with such an approach, especially from a constitutional authority such as the Union Public Service Commission<sup>2</sup>.

**11.** We have granted interim relief even in cases where candidates did not have any certificate issued during the window period of 1 April 2024 to 14 May 2024.

**12.** This case is certainly on a better footing, as the petitioner, in fact, had an OBC certificate issued during the said window period on 30 April 2024.

**13.** Reference to the certificate was also made by the petitioner

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<sup>2</sup> "the UPSC", hereinafter



when applying for selection to the post in question.

14. We do not see how the UPSC can seek to contend that, merely because a certificate of an earlier date was uploaded, the petitioner should not get the benefit of the orders passed by us in similar cases.

15. In the aforesaid circumstances, issue notice to show cause as to why rule *nisi* be not issued.

16. Notice is accepted on behalf of Respondent 1/UPSC by Mr. Ravinder Agarwal.

17. Mr. Syed Abdul Haseeb, learned CGSC, who is present in the Court, at request of the Court, has graciously agreed to accept notice on behalf of Respondent 2/UOI.

18. Counter-affidavit be filed within three weeks with advance copy to learned Counsel for the petitioner who may file rejoinder thereto, if any, within two weeks thereof.

19. Re-notify on 27 August 2025.

**CM APPL. 41572/2025 (Stay)**

20. Issue notice, returnable on 27 August 2025.

21. Notice is accepted on behalf of Respondent 1/UPSC by



Mr. Ravinder Agarwal.

22. Mr. Syed Abdul Haseeb, learned CGSC, who is present in the Court, at request of the Court, has graciously agreed to accept notice on behalf of Respondent 2/UOI.

23. Reply, if any, be filed within three weeks with advance copy to learned Counsel for the petitioner who may file rejoinder thereto, if any, within two weeks thereof.

24. In view of the aforesaid facts and circumstances, the petitioner has made out a *prima facie* case for permitting her to provisionally continue to participate in the selection process, subject to the outcome of the writ petition.

25. Not granting the relief sought would result in irreparable prejudice to the petitioner, if the selection process is to complete and she does not get a chance to participate. The balance of convenience is also, therefore, in favour of granting interim relief.

26. In that view of the matter, we permit the petitioner to provisionally continue to participate in the remaining stages of the selection process. In case the petitioner is found successful and meriting selection, she shall be duly selected and appointed. The selection and appointment would, however, remain subject to the outcome of the present writ petition and no equities would be claimed by the petitioner on that basis.



27. Re-notify on 27 August 2025.

**C.HARI SHANKAR, J.**

**AJAY DIGPAUL, J.**

**JULY 16, 2025/AS**