

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO(S). OF 2026
(@ SLP (C) No. of 2026)
[@ D.NO.4249 OF 2025]

**DELHI SUBORDINATE SERVICES SELECTION
BOARD (DSSSB) & ANR.**

Appellant(s)

VERSUS

VISHNU KUMAR BADETIYA

Respondent(s)

WITH

CIVIL APPEAL NO(S). OF 2026
(@ SLP (C) No. of 2026)
[@ D.NO.14936 OF 2025]

CIVIL APPEAL NO(S). OF 2026
(@ SLP (C) No. of 2026)
[@ D.NO.14938 OF 2025]

CIVIL APPEAL NO(S). OF 2026
(@ SLP (C) No. of 2026)
[@ D.NO.14997 OF 2025]

O R D E R

1. Delay condoned.
2. Leave granted.
3. These appeals by way of special leave are against the orders passed by the High Court of Delhi dismissing the Writ Petitions preferred by the appellant(s).
4. Heard Ms. Swati Ghildiyal, learned counsel appearing for the appellants and Ms. Rekha Palli, learned senior counsel appearing

for the respondents.

5. It is fairly conceded by Ms. Swati Ghildiyal that the issue arising for consideration is now covered by the decision rendered by the Constitution Bench in the case of *Bir Singh vs. Delhi Jal Board & Ors*¹ .

6. Ms. Swati Ghildiyal raised an objection about the maintainability of the original application before the Tribunal on the ground that the advertisement for staff nurse was issued in the year 2009 and in fact the results were declared in the year 2011. However, one of the respondents viz. Dinesh Mahawar approached the Tribunal in the year 2013 whereas other respondents viz. Vishnu Kumar Badetiya, Pavan Kumar and Mohan Singh approached in the year 2016 and the Tribunal delivered its judgment in the year 2016.

7. In view of the above-referred fact that the appointments have taken place with effect from 2011 onwards and employees secured their respective seniority positions in the posts to which they were appointed, we are of the opinion that it would not be appropriate to grant seniority to the respondents with effect from the original date of their appointments.

8. Having considered the matter in detail, while we dismiss the present civil appeal, we direct that the seniority of the respondents will be fixed with effect from the date of filing of their respective original applications.

9. With this clarification, the Civil Appeals stand disposed of.

¹ (2018) 10 SCC 312

10. In view of the long pendency of these matters, we further direct the State Government to ensure that the revised seniority of the respondents is issued within a period of three months from today.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

NEW DELHI;
SEPTEMBER 08, 2026

ITEM NO.16

COURT NO.5

SECTION XIV

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 4249/2025

[Arising out of impugned final judgment and order dated 04-09-2024 in WPC No. 12303/2024 passed by the High Court of Delhi at New Delhi]

DELHI SUBORDINATE SERVICES SELECTION
BOARD (DSSSB) & ANR.

Petitioner(s)

VERSUS

VISHNU KUMAR BADETIYA

Respondent(s)

[FOR FINAL DISPOSAL].....FOR ADMISSION and I.R.
IA No. 37675/2025 - CONDONATION OF DELAY IN FILING

WITH

Diary No(s). 14936/2025 (XIV)

IA No. 79655/2025 - CONDONATION OF DELAY IN FILING

Diary No(s). 14938/2025 (XIV)

IA No. 127282/2025 - CONDONATION OF DELAY IN FILING

IA No. 127283/2025 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS

Diary No(s). 14997/2025 (XIV)

IA No. 87539/2025 - CONDONATION OF DELAY IN FILING

Date : 08-09-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) :Mr. Shreekant Neelappa Terdal, AOR
Mr. Mukesh Kumar Maroria, AOR

Ms. Swati Ghildiyal, AOR
Mr. Nimesh Bhatt, Adv.

For Respondent(s) :Ms. Rekha Palli, Sr. Adv.
Mr. Deepak Goel, AOR
Mr. Anish Venkatesh Bindlish, Adv.
Ms. Bhavya Sharma, Adv.
Mr. Vaidushya Parth, Adv.
Ms. Alka Goyal, Adv.

Ms. Apoorva Singh, Adv.
Ms. Apurva Mahndiyan, Adv.
Mr. Shailvi Gupta, Adv.

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

1. Delay condoned.
2. Leave granted.
3. The Civil Appeals stand disposed of in terms of the Signed Order.
4. Pending application(s), if any, shall stand disposed of.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
ASSISTANT REGISTRAR

(Signed Order is placed on the file)