

ITEM NO.8

COURT NO.13

SECTION XIV

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) No(s). 7604/2026

[Arising out of impugned final judgment and order dated 20-01-2026 in WPC No. 527/2026 passed by the High Court of Delhi at New Delhi]

SHWETA

Petitioner(s)

VERSUS

NATIONAL INSTITUTE OF TUBERCULOSIS
AND RESPIRATORY DISEASES & ORS.

Respondent(s)

IA No. 59315/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

Date : 29-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For Petitioner(s) :

Mr. Deeptakirti Verma, Adv.
Ms. Neha Sharma, AOR
Ms. Ekta Pradhan, Adv.

For Respondent(s) :

Mr. Saket Sikri, Adv.
Mr. Ajay Pal Singh, Adv.
Mr. Jasbir Bidhuri, Adv.
Ms. Madhu Sikri, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. On being selected in the recruitment process in which, petitioner participated as Schedule Caste category candidate, she was appointed as HMTS (Dietary). Her appointment order was also issued 27.12.2023. Subsequently, her appointment was withdrawn

on 10.01.2024 on finding that no post for Schedule Caste category was available and in fact, while sending requisition to the recruiting body, it was never requested to fill up any post under the Schedule Caste category.

2. Petitioner's original application bearing O.A. No. 643/2024, was allowed by Central Administrative Tribunal vide order dated 15.10.2025 which, has now been set aside by the High Court under the impugned order.

3. When this matter was heard on 19.05.2026, learned counsel for respondent no.1 prayed for time to work out a solution in the facts and circumstances of the case.

4. Now, an affidavit has been filed by respondent no.1 stating the following in paragraph-4 of the affidavit;

"Accordingly, the matter was discussed in the Institute and it was decided that the Petitioner (Ms. Shweta) can be adjusted/ appointed against a vacant post of HMTS (Dietary)-Kitchen Staff under SC Category as a special case."

5. In view of the above, the Special Leave Petition is disposed of directing the

respondent(s) to issue formal order allowing the petitioner, *Shweta*, to join the services on the strength of the earlier appointment order issued i.e. on 27.12.2023.

6. Needless to say, since the same appointment order has to be worked on, the petitioner, *Shweta*, will be entitled to notional seniority and fixation of pay as ordered by the Tribunal.

7. As stated in the affidavit filed by respondent no.1, this case is treated as a special case and shall not be treated as a precedent.

8. Pending application(s), if any, shall stand disposed of.

(NISHA KHULBEY)
COURT MASTER(SH)

(AKSHAY KUMAR BHORIA)
COURT MASTER(NSH)