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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment reserved on: 20.01.2026
Judgment pronounced on: 03.02.2026

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W.P.(C) 4354/2025

HANUMANT LAL PATEL & ORS.Appellants
Through: Mr. Ritesh Kumar, Adv.

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Balendu Shekhar CGSC
with Mr Krishna Chaitanya, Mr
Rajkumar Maurya and Mr
Divyansh Singh Dev, Advs. for
R-1.

Mr. Ravinder Agarwal, Mr.
Manish Kumar Singh & Mr.
Vasu Agarwal Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE AMIT MAHAJAN

JUDGMENT

AMIT MAHAJAN, J.

1. The present writ petition has been filed under Articles 226 and 227 of the Constitution of India, assailing the order dated 28.11.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi, (*hereinafter 'CAT'*) whereby the O.A. No. 3109 of 2024, preferred by the Petitioners/Civil Services Aspirants challenging certain questions of the Civil Services (Preliminary) Examination, 2023, particularly Paper-II (CSAT), came to be dismissed.



2. The Petitioners, being unsuccessful candidates in the Civil Services (Preliminary) Examination 2023, seek interference with the impugned order on the premise that about 11 questions in Paper-II (CSAT) were allegedly beyond the prescribed syllabus, thereby vitiating the examination and selection process.

3. Succinctly stated, the quintessential facets leading up to the present dispute are that, the Respondent No. 3/Union Public Service Commission (*hereinafter 'UPSC'*) conducts the Civil Services Examination annually for recruitment to various Group 'A' and Group 'B' services under the Union of India, through a three-stage process consisting of the Preliminary Examination, the Main Examination, and the Personality Test.

4. The Civil Services Examination Rules, 2023 for Civil Services Examination, 2023 came to be published by the Department of Personnel & training (*hereinafter 'DoPT'*)/Respondent No.1 herein on 01.02.2023.

5. The details of the syllabi for the said examination were set out in Part B of Section III of the aforesaid rules and the candidates had been advised to go through the Syllabus so published in that Section for the Preliminary Examination and the Main Examination. With respect to Paper-II of the Preliminary Exam the syllabus was provided as "*Basic numeracy (numbers and their relations, orders of magnitude, etc.) (Class X level), Data interpretation (charts, graphs, tables, data sufficiency etc. — Class X level)*"

6. Admittedly, the Civil Services (Preliminary) Examination, 2023 was conducted and the Petitioners appeared in the said examination on 28.05.2023, including Paper-II (CSAT). The results of the Preliminary



Examination were declared on 12.06.2023. Thereafter, the Civil Services (Main) Examination was conducted and its results were declared on 08.12.2023. The Personality Tests followed, culminating in the declaration of the final results on 16.04.2024.

7. The Respondent No. 3/UPSC had also opened a grievance redressal portal on its official website from 29.05.2023 to 04.06.2023. In response, the Petitioners, having failed to qualify the Preliminary Examination, submitted their grievances through the said portal, highlighting the inclusion of out-of-syllabus questions.

8. Thereafter, the Petitioners approached the Hon'ble Supreme Court by way of a petition filed under Article 32 of the Constitution of India, which was dismissed and with liberty to the Petitioners to approach the concerned High Court.

9. The Petitioners then approached this Court, by way of a writ petition bearing W.P. (C) No. 14426/2023 seeking directions to the Respondent No. 3/UPSC to verify the disputed questions, prepare a revised merit list, conduct the Mains Examination for candidates who would become eligible pursuant thereto, and in the alternative, grant of compensatory attempts or age relaxation. *Vide* order dated 19.07.2024, the writ was transferred to the learned CAT opining that the same was the first forum of instance.

10. Thereafter, the writ petition was renumbered as the O.A. No. 3109/2024. The learned CAT, upon consideration of the pleadings and submissions, dismissed the O.A., holding that no ground for interference in exercise of judicial review was made out as the Tribunal cannot go into what would be the attributes of a good



question paper in a competitive examination and the same falls within the exclusive domain of the examiner. The relevant extract is reproduced as under: -

“ 7.7 The plea urged by the applicants is that they had their last attempt to appear in the CSE. We are not able to understand, as to how, the judicial review in scrutiny will help the applicants. Rather, it goes against them as in their earlier attempts too, when there were no allegations of questions being out of syllabus, they failed to qualify the examination. Similar is a situation when the candidates go through different stages of competitive examination and do not qualify in final results. There are lakhs of candidates, who appear in CSE as the same is the most prestigious and sought-after elite service. There is nothing on record to show that, in the event, appropriate compensatory marks were awarded to the applicants, how these marks will affect the net result of the applicants. Therefore, the standard of the examination have to be high. It is also a fact that many other candidates have succeeded in the said examination.

7.8 The Courts/Tribunals in scope of their power of judicial review go into what would be the attributes of a good question paper in competitive examination. To say the least, to conduct a large-scale examination is a very difficult task and may reveal certain lapses, which cannot, on the face of it, be termed as a deliberate and colourble exercise of power. There is no plea that the questions are patently wrong or there is ambiguity in the questions. Also, there is no material to show that all the applicants were very close to secure the cut-off marks. The authority to set the questions is within the exclusive domain of executive or experts. Individual grievance, such as, questions being out of syllabus, which has been urged by the applicants on the basis that many candidates had their last attempt to appear in CSE, cannot be accepted at this stage in light of the observations in Siddharth Mishra’s case (supra). Even assuming for the sake of arguments that certain questions were out of syllabus, it has not been demonstrated by way of a comparative data as to how the applicants would have gained their merit position qua others, who have been awarded equal treatment and succeeded. Hence, the question of compensating



the applicants does not arise at all. Quantification of loss and damages thereto are not payable merely on asking, unless and until, it is ascertained or evidenced.”

11. It is this order which has been assailed before this Court.
12. Learned counsel appearing for the Petitioners contended that the learned CAT had failed to appreciate that several questions in Paper-II of the Civil Services (Preliminary) Examination, 2023 were beyond the prescribed syllabus. The examination Rules explicitly stipulate that the questions should be of Class X level; however, the questions asked (which are subject matter of the challenge) were derived from the Class XI and XII syllabi issued by the National Council of Educational Research and Training (*hereinafter ‘NCERT’*).
13. It is further submitted that the inclusion of such questions resulted in an uneven playing field, thereby violating the examination rules and undermining the fairness and credibility of the selection process.
14. It was further contended that the learned CAT erred in mechanically dismissing the O.A. without undertaking an independent examination of the questions under challenge and analysing whether the questions were out of syllabus or not. Once it is shown that the examination deviated from the prescribed syllabus, the entire selection process stands vitiated, and the Petitioners were entitled to appropriate corrective reliefs.
15. *Per contra*, learned counsel appearing for the Respondents vehemently opposed the petition on preliminary grounds that while



seeking reliefs which would inevitably disturb the final selection and appointments already made, the Petitioners have failed to implead the successful candidates as parties either before the learned CAT or before this Court.

16. It is further contented that in the absence of such necessary parties, no relief affecting their rights could be granted, rendering the writ petition not maintainable.

17. It is further submitted that the Petitioners participated in the entire selection process without any protest or demur and approached the Court only after being declared unsuccessful. Such conduct, it was urged, disentitles them from challenging the selection process at a belated stage.

18. On merits, it is submitted that the questions in Paper-II were prepared by subject experts strictly in accordance with the prescribed syllabus. After the examination, an Online Question Representation Portal was opened inviting objections from candidates. The objections received were examined by a separate panel of subject experts, distinct from those involved in setting the question paper. The Expert Committee Report, which has now been placed on record, unequivocally concludes that all questions were within the prescribed syllabus and that the mathematical questions were confined to Class 10 level only.

19. It is also urged that the issue raised by the Petitioners is no longer *res integra*, as identical challenges to the same examination have already been rejected by this Court in *Siddharth Mishra v.*



UPSC, W.P.(C) No. 11099/2023. Reliance was also placed on ***Pranav Pandey v. UPSC, W.P.(C) No. 10887/2024.***

20. It is lastly contended that the entire selection process for Civil Services Examination, 2023 has concluded and even subsequent examinations have been held in the years 2024 and 2025, rendering the reliefs sought infructuous.

21. Hence it is prayed that the present petition is meritless and is liable to be dismissed.

22. This Court *vide* Order dated 17.12.2025 had specifically directed Respondent No. 3/UPSC, to address whether the objections raised by the candidates *qua* the said questions were placed before the Expert Committee for its comments and, if so, to produce the report of the Expert Committee specifically dealing with these questions which are placed at *Annexure A-8 (Page No. 223)* of the paper book.

23. The Report of the Expert Committee (*in a sealed cover*) has been handed over in Court.

24. Submissions heard and the material placed on record by the parties as well as the Report of the Expert Committee has been perused.

Analysis

25. At the outset, it must be noted that the scope of judicial review in matters relating to competitive examinations is extremely limited. The Court does not sit in appeal over the decision of an examining body nor does it substitute its own opinion for that of subject experts. Judicial review is confined to examining the decision-making process



and interference is warranted only when the process is vitiated by mala fides, arbitrariness, or patent illegality.

26. The Hon'ble Apex Court in ***J.P. Kulshrestha and Ors. vs. Chancellor, Allahabad University, Raj Bhawan and Ors. 1980 3 SCC 418*** has settled that the selection of the suitable candidates is the prerogative of the academic body and is ordinarily not amenable to judicial review. The relevant extract is as under: -

"Rulings of this Court were cited before us to hammer home the point that the Court should not substitute its judgment for that the Court should not substitute its judgment for that of academicians when the dispute relates to educational affairs. While there is no absolute ban, it is a rule of prudence that courts should hesitate to dislodge decisions of academic bodies. But University organs, for that matter any authority in our system, is bound by the rule of law and cannot be a law unto itself. If the Chancellor or any other authority lesser in level decides an academic matter, or an educational question, the Court keeps its hands off; but where a provision of law has to be read and understood, it is not fair to keep the court out."

27. In ***Chancellor v. Bijayananda Kar, (1994) 1 SCC 169***, the Apex Court has categorically held that issues pertaining to academic standards and the content of question papers fall within the exclusive domain of experts and courts should refrain from interfering in such matters unless a clear case of arbitrariness or *mala fides* is established.

It was held that: -

"8. Even on the merits of the controversy we are of the view that the High Court fell into patent error in setting aside the selection on the basis of the "two letters". The function of the Selection Committee comes to an end when the process of selection is completed and the proceedings are drawn. Every member of the Selection Committee has a right to give his



independent, unbiased and considered opinion in respect of each candidate appearing before the Committee. Normally, it would not be considered a bona fide act on the part of a member of the Selection Committee to say, after the selection is over and he has signed the proceedings, that he “overlooked” certain qualifications in respect of a candidate. The sanctity of the process of selection has to be maintained. It would be travesty of the selection process if the candidates are encouraged to meet members of the Selection Committee after the selection is over and to obtain letters from them attempting to renege the selection made. The High Court, in the facts of the present case, grossly erred in setting aside the selection and appointment of Dr Mohapatra.

9. This Court has repeatedly held that the decisions of the academic authorities should not ordinarily be interfered with by the courts. Whether a candidate fulfils the requisite qualifications or not is a matter which should be entirely left to be decided by the academic bodies and the concerned selection committees which invariably consist of experts on the subjects relevant to the selection. In the present case Dr Kar in his representation before the Chancellor specifically raised the issue that Dr Mohapatra did not possess the specialisation in the ‘Philosophical Analysis of Values’ as one of the qualifications. The representation was rejected by the Chancellor. We have no doubt that the Chancellor must have looked into the question of eligibility of Dr Mohapatra and got the same examined from the experts before rejecting the representation of Dr Kar.”

(Emphasis supplied)

28. In *Sanchit Bansal & Anr vs Joint Admission Board & Ors* 2012 (1) SCC 157, the Apex Court observed as under: -

“18. In *Maharashtra State Board of Secondary and Higher Secondary Education v. Paritosh Bhupeshkumar Sheth [1984 (4) SCC 27]* it was observed thus :

“...the Court should be extremely reluctant to substitute its own views as to what is wise, prudent and proper in relation to academic



matters in preference to those formulated by professional men possessing technical expertise and rich experience of actual day-to-day working of educational institutions and the departments controlling them."

In All India Council for Technical Education v. Surinder Kumar Dhawan [2009 (11) SCC 726] this court held :

"The courts are neither equipped nor have the academic or technical background to substitute themselves in place of statutory professional technical bodies and take decisions in academic matters involving standards and quality of technical education. If the courts start entertaining petitions from individual institutions or students to permit courses of their choice, either for their convenience or to alleviate hardship or to provide better opportunities, or because they think that one course is equal to another, without realizing the repercussions on the field of technical education in general, it will lead to chaos in education and deterioration in standards of education. The role of statutory expert bodies on education and role of courts are well defined by a simple rule. If it is a question of educational policy or an issue involving academic matter, the courts keep their hands off. If any provision of law or principle of law has to be interpreted, applied or enforced, with reference to or connected with education, the courts will step in."

(emphasis supplied)

This Court also repeatedly held that courts are not concerned with the practicality or wisdom of the policies but only illegality. In Directorate of Film Festivals v. Gaurav Ashwin Jain [2007 (4) SCC 737]
 this court held :

"....Courts do not and cannot act as appellate authorities examining the correctness, suitability and appropriateness of a policy, nor are courts advisors to the executive on matters of policy which the executive is entitled to formulate. The scope of judicial review when examining a policy of the Government is to check whether it violates the



fundamental rights of the citizens or is opposed to the provisions of the Constitution, or opposed to any statutory provision or manifestly arbitrary. Courts cannot interfere with policy either on the ground that it is erroneous or on the ground that a better, fairer or wiser alternative is available. Legality of the policy, and not the wisdom or soundness of the policy, is the subject of judicial review..."

(emphasis supplied)

19. Thus, the process of evaluation, the process of ranking and selection of candidates for admission with reference to their performance, the process of achieving the objective of selecting candidates who will be better equipped to suit the specialized courses, are all technical matters in academic field and courts will not interfere in such processes. Courts will interfere only if they find all or any of the following : (i) violation of any enactment, statutory Rules and Regulations; (ii) mala fides or ulterior motives to assist or enable private gain to someone or cause prejudice to anyone; or where the procedure adopted is arbitrary and capricious. An action is said to be arbitrary and capricious, where a person, in particular, a person in authority does any action based on individual discretion by ignoring prescribed rules, procedure or law and the action or decision is founded on prejudice or preference rather than reason or fact. To be termed as arbitrary and capricious, the action must be illogical and whimsical, something without any reasonable explanation. When an action or procedure seeks to achieve a specific objective in furtherance of education in a bona fide manner, by adopting a process which is uniform and non-discriminatory, it cannot be described as arbitrary or capricious or mala fide."

(emphasis supplied)

29. In the present case, the core issue is whether the impugned questions were within the prescribed syllabus or not.
30. Pursuant to the objections raised by candidates, the UPSC constituted an Expert Committee comprising subject-matter specialists



distinct from those involved in setting the question paper. The Expert Committee Report, produced before this Court, which was prepared after examining objections raised by candidates, clearly records that all the representations have been perused and all the impugned questions in Paper-II were within the prescribed syllabus and that the mathematical questions did not exceed the level of Class 10. It was further observed that the questions are merely thought-provoking and require the mental ability which is expected out of all UPSC aspirants.

31. Once, the Committee of Experts, who have expertise and wisdom exclusively over the subject-matter, has opined that the questions were within the syllabus and found that the objections are not sustainable, the very basis of compensatory or corrective reliefs does not survive. In any case this Court cannot sit in appeal over the opinion of the experts and substitute its own view by re-examining the questions. Determination of the nature and standard of questions to be included in a competitive examination lies primarily within the province of subject experts, and courts do not possess the institutional competence to substitute their views for that of duly constituted expert bodies.

32. Even otherwise, mere disagreement with the academic assessment of subject experts by the Petitioners, without demonstrating perversity or manifest error, cannot furnish a ground for judicial interference.

33. Moreover, this Court has already considered and rejected an identical challenge to the very same examination in *Siddharth Mishra v. UPSC* (supra). The relevant extract is reproduced as under: -



“17..... It has been consistently held that unless there is an apparent violation of statutory provisions of rules governing the conduct of examination, the court should not interfere merely on general allegations or observations with respect to the conduct of the examination on extraneous factors. That the courts should not substitute the opinion and evaluation of the experts, that too in academic matters, is a law well established and reiterated, the learned counsels for the respondents have argued.

19. At the outset, we would like to recognize and expressly state that the UPSC carries an unblemished reputation and record of conducting examination for selection to civil posts in a fair, objective and transparent manner. We also note that apart from a limited insinuation that the Civil Services Examination, which is the subject of this OA, could have given undue advantage to science background students, no other aspersion has been cast upon the organization nor any other extraneous motive attached.

*20. We are also conscious of the confines of our powers and jurisdiction and have no doubt that we are neither authorized nor qualified to sit on the judgment over the wisdom of the academic experts who have prepared the question paper which is the subject of this OA, i.e., **CSAT Paper-II of the Civil Services Examination-2023**. We find this argument to be a bit curious that the paper was supposed to be of Class X Level Arithmetic but it had questions of Class X+2 level, i.e. of the level which the candidates answer while appearing in admission test for higher engineering institutions. Now the applicants before us are aspirants to the highest Civil Services of the country; why should they be intimidated by a Class X+2 level paper does not stand to reason. Moreover, as mentioned earlier, we do not have either the authority or the expertise to determine whether it is so.”*

(emphasis supplied)

34. Admittedly, the said judgment has attained finality upon dismissal of the SLP by the Supreme Court and serves as a binding precedent.

35. This Court also finds considerable force in the objection regarding non-joinder of necessary parties. The reliefs sought by the Petitioners, including preparation of a revised merit list and conduct of a fresh Main Examination, would inevitably affect the rights of



candidates who have already been declared successful and appointed. Admittedly, none of the selected candidates have been impleaded either before the Tribunal or before this Court. It is a settled that no adverse order can be passed affecting the rights of a person without affording an opportunity of hearing.

36. Be that as it may, the entire selection process for Civil Services Examination, 2023 stands concluded. Courts do not exercise writ jurisdiction to grant infructuous reliefs, particularly in matters involving large-scale public examinations. The prayer for grant of additional attempts or age relaxation is also untenable in law, as the Rules of Examination are statutory in nature and such policy decisions lie beyond the scope of judicial review that too when it has been clearly opined by academic experts that the disputed questions were not beyond the prescribed syllabus.

37. For the aforesaid reasons, this Court finds no infirmity in the impugned order passed by the learned CAT.

38. Certain documents were handed over by the Respondent No. 3/UPSC in a sealed cover. The said documents are returned to the learned counsel representing UPSC.

39. The present petition is accordingly dismissed.

40. Pending application(s), if any, also stand disposed of.

AMIT MAHAJAN, J.

ANIL KSHETARPAL, J.

FEBRUARY 03, 2026/“SK”/jn