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

% *Date of Decision: 05.08.2026*

CNR No. DLHC010354142026

+ **LPA 605/2026 & CM APPL. 50928/2026**

GOURAV TIWARI & ORS.

.....Appellants

Through: Mr. Medhanshu Tripathi and Mr.
Rajeev Kumar Dubey, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Avshreya Pratap Singh Rudy,
CGSC with Ms. Usha Jamwal, Ms.
Nyasa Sharma, Mr. Ankit Khatri and
Mr. Siddhant Nagar, Advocates for
R-1 to R-4.
Mr. Ravinder Agarwal, Adv. with Mr.
Manish Kumar Singh and Mr. Vasu
Agarwal, Advocates for R-5/UPSC.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

TEJAS KARIA, J. (ORAL)

CAV 365/2026

1. Since learned Counsel for the Caveator has put in appearance, the Caveat stands discharged.

CM APPL. 50929/2026 (Exemption)

2. Exemption allowed, subject to all just exceptions.

3. The Application stands disposed of.

**LPA 605/2026**

4. The present Letters Patent Appeal arises from the judgment dated 09.07.2026 (“**Impugned Judgment**”) in W.P.(C) No. 7882/2026 (“**Writ Petition**”) filed by the Appellants.

5. The factual matrix leading to the filing of the present Appeal is as under:

- 5.1. In 2025, Respondent No. 3, an autonomous organisation functioning under the Department of Youth Affairs, Ministry of Youth Affairs and Sports, undertook its first recruitment exercise for the post of Assistant Director / District Youth Officer by temporarily adopting the recruitment rules of the erstwhile Nehru Yuva Kendra Sangathan (“**NYKS Rules**”).
- 5.2. The General Instructions / Advertisement dated 01.09.2025 (“**General Instructions**”), issued under the NYKS Rules, recorded the vacancy pool of 358 direct recruitment vacancies as on 01.09.2025, prescribed Post Graduate / Master’s Degree as the minimum educational qualification, and provided that any unfilled vacancies would be filled from the Union Public Service Commission (“**UPSC**”) Pratibha Setu Disclosure Lists of subsequent years.
- 5.3. During 2025-2026, candidates from the UPSC Pratibha Setu CSE-2023 Disclosure List (“**CSE-2023 List**”) were considered against the vacancy pool as on 01.09.2025. In the said process, 340 applications were received, 220 offers of appointment were issued, 179 candidates were finally appointed, 165 candidates joined, and 14 further appointment letters were issued.



- 5.4. In December, 2025, the UPSC Pratibha Setu CSE-2024 Disclosure List (“**CSE-2024 List**”) became available. The Appellants were included in the said list and consequently claimed consideration against the remaining vacancies from the vacancy pool as on 01.09.2025.
- 5.5. On 10.03.2026, the Respondents issued an Office Memorandum containing the Draft Revised Recruitment Rules for the post of Assistant Director / District Youth Officer, proposing, *inter alia*, alteration of the minimum educational qualification from Post Graduate / Master’s Degree to Graduation.
- 5.6. In March-April, 2026, the Appellants, along with similarly situated candidates, submitted representations / grievances seeking protection of the vacancies identified as on 01.09.2025 and requesting incorporation of a saving / transitional clause in the revised Rules.
- 5.7. In response to a grievance submitted on the Centralised Public Grievance Redress and Monitoring System (“**CPGRAMS**”), the Respondents, *vide* reply dated 21.04.2026 (“**CPGRAMS Reply**”), stated that the recruitment process for utilising the CSE-2024 List had already been initiated and that emails had already been sent to the identified candidates for necessary action.
- 5.8. In April 2026, official communications were issued to candidates identified from the CSE-2024 List and, on



27.04.2026, a webinar was conducted with such candidates in relation to the proposed recruitment process.

- 5.9. On 06.05.2026, the Respondents notified the Mera Yuva Bharat Recruitment Rules, 2026 (“**2026 Rules**”), whereby Graduation was prescribed as the minimum educational qualification and the upper age limit was enhanced to thirty-two years.
- 5.10. On 12.05.2026, the Respondents issued the Recruitment Notification (“**Recruitment Notification**”), inviting online applications from candidates whose names appeared in the CSE-2024 List.
- 5.11. On 18.05.2026, the Appellants instituted the Writ Petition, assailing the applicability of the 2026 Rules as well as the Recruitment Notification.
- 5.12. *Vide* reply dated 27.05.2026 issued under the Right to Information Act, 2005 (“**RTI Act**”), the Ministry of Youth Affairs and Sports (“**RTI Reply**”) stated that (i) the provisional vacancies as on 01.09.2025 were 358; (ii) 165 candidates from the CSE-2023 List had joined; (iii) the candidature of approximately 30 candidates was still under examination; (iv) the provisional vacancies as on 12.05.2026 were 180; and (v) the recruitment process from the CSE-2023 List had not yet been completed.
- 5.13. On 09.07.2026, the learned Single Judge, *vide* the Impugned Judgment, dismissed the Writ Petition, observing that the recruitment process from the CSE-2024 List commenced with the issuance of the Recruitment Notification and not with the



emails issued in April 2026 or the webinar conducted on 27.04.2026. The learned Single Judge further held that, as on 12.05.2026, the 2026 Rules were already in force and, consequently, there was no alteration of the rules governing an ongoing recruitment process.

5.14. Being aggrieved by the Impugned Judgment, the Appellants have preferred the present Appeal.

6. The learned Counsel for the Appellants submitted that the General Instructions recorded 358 direct recruitment vacancies as on 01.09.2025, prescribed Post Graduate / Master's Degree as the minimum qualification, and provided that unfilled vacancies would be filled from the UPSC Pratibha Setu Disclosure Lists of subsequent years ("**Disclosure Lists**"), which were meant to fill the unfilled portion of the same vacancy pool, and not any fresh vacancies. Thus, candidates from the CSE-2023 and CSE-2024 Lists were being considered against the same vacancy pool identified on 01.09.2025.

7. It was further submitted on behalf of the Appellants that the CPGRAMS Reply stated that the process for utilising the CSE-2024 List had already been initiated, and the webinar dated 27.04.2026 was a further step in that process. However, the RTI Reply recorded that the vacancies reduced from 358 on 01.09.2025 to 180 on 12.05.2026, while the CSE-2023 recruitment process remained incomplete. The 180 vacancies were, therefore, the balance of the original vacancy pool, not a fresh pool created after the 2026 Rules came into force.

8. The learned Counsel for the Appellant submitted that by applying the 2026 Rules to the remaining vacancies created two eligibility regimes within the same vacancy pool, without any saving or transitional clause, thereby



prejudicing the Appellants. It was further submitted on behalf of the Appellants that the Appellants being Post Graduate qualified candidates in the CSE-2024 List, the 2026 Rules altered the terms of competition after the recruitment process had commenced. It was submitted that on behalf of the Appellant that by lowering the qualification from Post Graduate / Master's Degree to Graduation, it enlarged the field of competition, as reflected by 787 applications in the 2026 cycle, and directly affected the Appellants' prospects of selection.

9. The learned Counsel for the Appellants submitted that the Recruitment Notification did not identify any fresh vacancies after 06.05.2026 but only sought to fill the balance vacancies from the 01.09.2025 vacancy pool. It was further submitted by the Appellants that applying the 2026 Rules to those balance vacancies defeated the legitimate expectation arising from the General Instructions, which contemplated consideration of CSE-2024 candidates through the Disclosure Lists.

10. The learned Counsel for the Appellants submitted that the Respondents' stand was also inconsistent, as the CPGRAMS Reply described the CSE-2024 process as already initiated, whereas the Counter Affidavit treated the same steps as mere advance intimation. It was further urged on behalf of the Appellants that by applying the 2026 Rules after initiation of the process amounted to changing the rules of the game midway. The Appellants relied cumulatively on the General Instructions, CPGRAMS Reply, webinar, absence of any saving clause, and RTI Reply to contend that the process could not be treated as a fresh recruitment commencing only on 12.05.2026.



11. On this basis, it was submitted on behalf of the Appellants that the application of the 2026 Rules violated Articles 14 and 16 of the Constitution, defeated legitimate expectation, and impermissibly altered the eligibility criteria midstream. Accordingly, the Appellants submitted that the learned Single Judge was erred in treating the Recruitment Notification, and not the earlier communications and webinar, as the commencement of the process. It was, therefore, submitted by the Appellants that the Impugned Judgment deserves to be set aside.

12. The learned Counsel for the Respondents submitted that the emails issued in April 2026, and the webinar conducted on 27.04.2026 were addressed to the entire CSE-2024 List and not merely to the Appellants. It was further submitted by the learned Counsel for the Respondents that the Appellants participated in the recruitment process pursuant to the 2026 Rules and challenged the same only after such participation. Placing reliance on *State of H.P. v. Raj Kumar*, (2023) 3 SCC 773, the learned Counsel for the Respondents submitted that the learned Single Judge rightly held that, since the Recruitment Notification was issued on 12.05.2026 after the 2026 Rules had come into force, the eligibility and consideration of the Appellants were governed by the 2026 Rules.

13. It was also submitted by the learned Counsel for the Respondents that the Appellants had no vested right to insist that the vacancies identified on 01.09.2025 be filled under the NYKS Rules and that, at the highest, they were entitled only to fair consideration in accordance with the rules applicable to the recruitment process in which they participated. Accordingly, it was submitted on behalf of the Respondents that the present Appeal is devoid of merit and deserves to be dismissed.



14. Heard the learned Counsel for the Parties and perused the material placed on record.

15. The principal issue which arises for consideration in the present Appeal is whether the recruitment process from the CSE-2024 List had commenced before the 2026 Rules came into force.

16. It is the case of the Appellants that the vacancies had already been identified on 01.09.2025 and that the General Instructions contemplated that such vacancies would be filled from the Disclosure Lists. It is further contended that the consideration of candidates from the CSE-2024 List was merely a continuation of the recruitment process undertaken against the vacancy pool identified as on 01.09.2025 from the CSE-2023 List. The Appellants also submit that the process for considering candidates from the CSE-2024 List had commenced prior to the coming into force of the 2026 Rules, as is evident from the CPGRAMS Reply, the emails issued in April 2026, the webinar conducted on 27.04.2026, and the RTI Reply.

17. However, we are of the considered view that the stipulation contained in the General Instructions merely identified the source from which candidates may be considered for appointment to the post of Assistant Director / District Youth Officer against the remaining vacancies in the vacancy pool identified as on 01.09.2025. The General Instructions did not provide that the educational qualification prescribed under the NYKS Rules would continue to govern all future consideration from the Disclosure Lists. The CSE-2024 List merely identified candidates who may be considered for appointment to the said post against the remaining vacancies from the aforesaid vacancy pool.



18. The submission of the Appellants that, since the 358 vacancies were identified on 01.09.2025, the same were necessarily required to be filled under the rules then in force, namely the NYKS Rules, does not merit acceptance.

19. The Supreme Court, in **Raj Kumar** (*supra*), has settled the position that there is no rule of universal application requiring vacancies to be filled only in accordance with the rules existing on the date on which such vacancies arose. It is also significant that the NYKS Rules had been only temporarily adopted by the Respondents in the absence of dedicated recruitment rules. The 2026 Rules had already come into force before the Recruitment Notification was issued. The framing and application of the 2026 Rules, therefore, cannot be characterised as an alteration of the eligibility criteria in an ongoing recruitment process.

20. Insofar as the communications addressed to the candidates included in the CSE-2024 List in April 2026 and the webinar conducted on 27.04.2026 are concerned, the said communications were issued, and the webinar was conducted, prior to the issuance of the Recruitment Notification, however, applications were invited from candidates appearing in the CSE-2024 List only pursuant to the Recruitment Notification. The communications issued in April 2026, and the webinar conducted on 27.04.2026, therefore, cannot be treated as the commencement of the recruitment process.

21. As regards the use of the expression “*has already been initiated*” in the CPGRAMS Reply, the learned Single Judge has rightly observed that recruitment law cannot be made to turn on loose administrative phrasing when considered in isolation from the surrounding facts. The fair, objective and ascertainable point of commencement of the recruitment process



remained the issuance of the Recruitment Notification inviting applications from eligible candidates. We find no reason to take a different view. The mere use of the expression “*already been initiated*” in the CPGRAMS Reply cannot alter the legal character of the steps that were taken prior to the issuance of the Recruitment Notification.

22. It is further well settled that the prescription of educational qualifications for a post fall primarily within the domain of the employer and the rule-making authority. The Courts do not sit in appeal over the wisdom of such prescription unless the same is shown to be manifestly arbitrary, irrational, *mala fide*, or contrary to a statutory provision. No such case has been made out by the Appellants in the present matter.

23. We are, therefore, in complete agreement with the finding of the learned Single Judge that the recruitment process from the CSE-2024 List commenced with the issuance of the Recruitment Notification and not with the emails issued in April 2026 or the webinar conducted on 27.04.2026.

24. For the reasons aforesaid, we find no infirmity in the view taken by the learned Single Judge. The present Appeal is, accordingly, dismissed. Pending applications, if any, also stand disposed of. There shall be no order as to costs.

TEJAS KARIA, J

DEVENDRA KUMAR UPADHYAYA, CJ

AUGUST 5, 2026

Hk/ap