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

+ **W.P.(C) 18526/2025& CM APPL. 76835/2025**

JAYESH KASHYAP & ANR.

.....Petitioners

Through: Mr. Abhik Chimni, Mr. Ayan
Dasgupta Samarendra, Mr. Gurpal Singh
Ms. Pranjal Abrol, Ms. Moksha Sharma, Adv.
versus

JAWAHARLAL NEHRU UNIVERSITY

.....Respondent

Through: Ms. Deepshikha Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **20.01.2026**

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayer(s):-

“a)Quash the Orders dated 10.09.2025, 22.10.2025 and 28.10.2025 and direct the Respondent University to allow the Petitioners to continue in the 3rd semester;”

2. The facts are that on 28.02.2024 the respondent university released the Prospectus for the Academic Session 2024-2025 stating that the B.A. (Hons.) Course will span across 4 years/8 semesters, which is in line with the National Education Policy, 2020 (“**NEP 2020**”).

3. The petitioners took the Common Universities Entrance Test (CUET) and were admitted for the Academic Session of 2024-2025 in the School of Language, Literature and Culture Studies at the respondent university. The petitioners are currently pursuing B.A(Hons.) German at the respondent university.



4. The petitioners completed their first year, however, the respondent university have restricted the petitioners from continuing in third semester, by citing Clause No. 9.1 of the Academic Ordinances (“**Academic Ordinances**”) of the respondent university provided by a Committee dated 15.10.2024.
5. Subsequently, the respondent university *vide* its Orders dated 10.09.2025, 22.10.2025 and 28.10.2025 (“**impugned orders**”) disallowed the petitioners from continuing the third semester. The said impugned orders are extracted below:-

 **जवाहरलाल नेहरू विश्वविद्यालय**
Jawaharlal Nehru University
न्यू महारौली रोड, नई दिल्ली-67
(मूल्यांकन शाखा/ Evaluation Branch-II)

No.: - II/Eval.II/SL/Gen.Corr/2025/ 506 dated at New Delhi the 10.09.2025

To,
The Dean,
SLL&CS, JNU
New Delhi - 110067

Sub: - Regarding application for late registration in the Monsoon Semester 2025.
Ref: - Applications of Mr. Jayesh Kashyap and Mr. Vivek Pratap Singh

Madam/Sir,

This is regarding the application submitted for registration in the 3rd semester on humanitarian grounds. A joint application from the students of the Centre for German Studies, duly forwarded by the Centre/School, was placed before the Competent Authority for consideration.

In this connection, it is informed that the 166th Academic Council, under Item No. 3(XV), resolved to approve the recommendations of the Committee constituted to review academic matters related to the University's Ordinances, Rules, and Regulations. The Council reaffirmed that, in accordance with the UGC's N+2 Guidelines, students who fail to maintain the prescribed CGPA must re-register for the concerned course/semester in order to improve their performance and achieve the minimum CGPA of 3.0 required to continue in the programme.

In view of the above, the students may be permitted to repeat the course/semester as per the decision of the 166th AC meeting. However, their request for direct promotion has not been acceded to.

The students may be informed accordingly.


The Section Officer (Eval-II)
JNU, New Delhi - 110067
कृपया नमूने में प्रमाणित करें/Section Officer
न्यू महारौली रोड/ Evaluation Branch-II
जवाहरलाल नेहरू विश्वविद्यालय
Jawaharlal Nehru University
नई दिल्ली/New Delhi-110067

Copy to – for information and necessary action
1. The Chairperson, CGS



जवाहरलाल नेहरू विश्वविद्यालय
नई दिल्ली-110067
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI-110067

S.LANA
SECTION OFFICER (EVALUATION)

No.II/Eval.II/SL/Grievance/2025/ 604

22nd October 2025

Dear Students,
Mr. Jayesh Kashyap & Mr. Vivek Pratap Singh
Email – jayeshkshp02102005@gmail.com
Email – jaanruisofficial@gmail.com

Subject: - Request to review and cancel order in letter No. II/Eval.II/SL/Gen.Corr/2025/dated 10.09.2025

This is reference to your letter dated 13.10.2025 on the above mentioned subject.

The matter was placed before the Competent Authority for consideration. However, the Competent Authority is on the opinion that this issue has already been decided that the existing rules which require a CGPA of 3.00 in Core courses for promotion from B.A. 1st year to B.A. 2nd year as per Clause 9.1 of B.A. Ordinance and the same has been communicated to them. Hence, the earlier decision is to be adhered to.

This is with the approval of the Competent Authority.

Copy to – for information & necessary action

- 1- The Dean, SLKCS
2. The Chairperson, CGS, SLKCS


(S. LANA)



जवाहरलाल नेहरू विश्वविद्यालय
नई दिल्ली-110067
Jawaharlal Nehru University
New Delhi-110067



जवाहरलाल नेहरू विश्वविद्यालय
Jawaharlal Nehru University
न्यू महारौली रोड, नई दिल्ली-67
(मूल्यांकन शाखा/ Evaluation Branch-II)
-DFA-

28

No.: - II/Eval.II/SL/Gen.Corr/2025/

dated at New Delhi the 28.10.2025

To,

Mr. Jayesh Kashyap (243550376803), 217, Barak Hostel
Mr. Vivek Pratap Singh (243550923943), 247, Jadhav Hostel
CGS, SLL&CS
JNU, New Delhi - 110067

Sub: - Regarding clarification on cancellation of registration.

Ref: - Application of Mr. Jayesh Kashyap and Mr. Vivek Pratap Singh

Dear Student,

With reference to your joint application dated 22.10.2025, forwarded through the Dean, SLL&CS, on the subject cited above, the following is clarified:

In accordance with Clause 9.1 of the Academic Ordinance, "a student joining the 1st semester of the six semester programme will be required to maintain a CGPA of 3.00 in the core Courses at the end of second semester and thereafter." Further, Clause 11.1 stipulates that "the names of students failing to fulfill the CGPA requirement under Clause 9 shall automatically stand removed from the rolls of the University."

Accordingly, a student maintaining a CGPA of 3.00 or above in the core courses (DSC, DSE) is eligible to progress to the next semester and is not required to repeat the semester or year. Students falling below this threshold are required to repeat the concerned courses or semester, as per the 166th Academic Council Resolution.

As part of this decision, students who failed to meet the CGPA requirement under Clause 9.1 were allowed an opportunity to repeat their course/semester instead of being removed from the rolls of the University.

The letter was issued to clarify that any student failing to secure the minimum CGPA of 3.0 required for continuation in the programme shall be required to repeat the concerned semester/courses, in accordance with the resolution adopted in the 166th Academic Council meeting. Therefore, both of you were given an opportunity to continue in the programme by repeating the respective course/semester. It has already been informed that the request for promotion to the next semester has not been acceded to by the Competent Authority, in pursuance of the above clause of the Ordinance.

The Section Officer (Eval-II)



New Delhi-110067
मूल्यांकन शाखा-II/Evaluation Branch-II
जवाहरलाल नेहरू विश्वविद्यालय
Jawaharlal Nehru University
नई दिल्ली/New Delhi-110067

Copy to - for information and necessary action.

1. The Dean, SLL&CS, JNU
2. The Chairperson, CGS, SLL&CS



6. Aggrieved by the actions of the respondent university, the petitioners have filed the present petition.
7. Mr. Chimni, learned counsel for the petitioners, draws my attention to the Prospectus for the Academic Session 2024-2025 of the respondent university under which the petitioners had sought admission and states that the petitioners have been enrolled under 4 year B.A. (Hons.) Programme as per NEP 2020. He further draws my attention to the Academic Ordinances of the respondent university and more particularly Clauses No. 7.2, 8.4 and 9.1 under the heading “Ordinance relating to the award of B.A. (Hons.), B.A. (Pass) degrees”, which read as under:-

“7. Credit requirements:

XXXXXXXX

7.2 Ordinarily a course shall be given in three/four contact hours a week and the credits for these courses shall be as follows:

‘C’ level courses 2 credits

‘B’ level courses 3 credits

Provided that the Board of Studies of the School may, on the recommendation of the Centre(s), allot less or more credits to a particular course.

XXXXXXXX

8 Evaluation:

XXXXXXXX

8.4 The students shall be graded in each course on a 10 point scale, that is:



Grade	Grade Point
A+	9
A	8
A-	7
B+	6
B	5
B-	4
C+	3
C	2
C-	1
F	0

XXXXXXXX

9. Grade Point Requirement/Minimum standard

9.1 A student joining the 1st semester of the six semester programme will be required to maintain a CGPA of 3.00 in the core Courses at the end of second semester and thereafter. A student joining the 3rd semester of six semester programme will also be required to maintain a CGPA of 3.00 in core courses at the end of the 4th semester and thereafter.”

8. *Per contra*, Mr. Kumar learned counsel for the respondent university, states that the petitioners failed to fulfil the minimum CGPA requirement as per the Academic Ordinance and more particularly as per Clause No. 9.1 of the Academic Ordinance (reproduced above). The NEP 2020 prescribes a credit-based framework for undergraduate



programs, however, it does not preclude universities from setting academic performance benchmarks such as minimum CGPA thresholds. The University Grants Commission (“**UGC**”) guidelines under NEP 2020 emphasize minimum total credit requirement, but is silent on specific semester-wise CGPA cutoffs. He further states that Clause No. 9.1 the Academic Ordinance was originally framed for the six-semester program, however, the B.A. (Hons.) program in the 2024-25 academic year under NEP 2020 provides for a eight semesters program. Hence, the core principle of Clause No. 9.1 i.e., requirement of maintaining a minimum CGPA has been retained.

9. I have heard learned counsels for the parties.
10. Mr. Chimni, learned counsel for the petitioners, has drawn my attention to the mark sheet of the petitioner No. 1, which is extracted below:-



जवाहरलाल नेहरू विश्वविद्यालय

नई दिल्ली - 110067

JAWAHARLAL NEHRU UNIVERSITY

NEW DELHI-110067

सत्र चोट रिपोर्ट

SEMESTER GRADE REPORT

सत्र / छात्र का नाम STUDENT'S NAME	नामांकन संख्या ENROLMENT NUMBER	स्कूल SCHOOL	केंद्र CENTRE
जयेश कश्यप JAYESH KASHYAP	24/53/FC/014	50	53

सत्र SEMESTER	वर्ष YEAR	अध्ययन कार्यक्रम PROGRAMME OF STUDY
MONSOON	2024	B.A IN GERMAN [SEMESTER - 1]

कोर्स नं. COURSE NO.	कोर्स शीर्षक COURSE TITLE	क्रेडिट्स CREDITS	ग्रेड GRADE
1010R	COMMUNICATIVE SKILLS & BASIC GERMAN-I	4.0	C PLUS
1020R	COMMUNICATIVE SKILLS & BASIC GERMAN-I	4.0	C PLUS
1030R	COMMUNICATIVE SKILLS & BASIC GERMAN-I	4.0	C PLUS
1418L	YOGA AND WELLNESS	2.0	B PLUS
1610R	CULTURAL HISTORY OF EUROPE-I (TO BE OFFERED IN ENGLISH)	2.0	A ONLY
1935P	SPANISH OPTIONAL - 1	2.0	B PLUS
2015K	HISTORY OF SANSKRIT LITERATURE	4.0	A MINUS
***** END OF COURSE LIST *****			

CURRENT SEMESTER RECORD			CUMULATIVE RECORD		
TOTAL CREDITS	TOTAL POINTS	S.G.P.A.	TOTAL CREDITS	TOTAL POINTS	C.G.P.A.
24.00	116.00	4.83	24.00	116.00	4.83

DATE: July 09, 2025

TOTAL VALID CREDITS EARNED 24.00

ASSISTANT

* IMPLIES NON-CREDIT COURSES
 * REPEAT COURSES
 # COURSES IGNORED FOR CALCULATING CGPA

SECTION OFFICER / ASST. REGISTRAR (EVAL.)



अधीक्षक / सहायक रजिस्ट्रार (मूल्यांकन)
 जवाहरलाल नेहरू विश्वविद्यालय
 नई दिल्ली-110067

Please call/visit for joining system and School / Centre Codes

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11. A perusal of the mark sheet of the petitioner No. 1 (extracted above) shows that in the first 3 subjects, the petitioner No. 1 has attained C+ Grade, which as per the respondent university Academic Ordinances translates to 3 Grade points and it is on this basis that the petitioners have not been promoted to the third semester.
12. In the present case, the respondent university is adopting a pick and choose policy. The respondent university is bound by the Curriculum and Credit Framework for Undergraduate Programmes laid down by the UGC, which categorically categorises Letter Grade 'C' equivalent to 5 Grade Points. The relevant portion of the same is extracted below:-



7.1. Letter Grades and Grade Points

The Semester Grade Point Average (SGPA) is computed from the grades as a measure of the student's performance in a given semester. The SGPA is based on the grades of the current term, while the Cumulative GPA (CGPA) is based on the grades in all courses taken after joining the programme of study.

The HEIs may also mention marks obtained in each course and a weighted average of marks based on marks obtained in all the semesters taken together for the benefit of students.

Letter Grade	Grade Point
O (outstanding)	10
A+ (Excellent)	9
A (Very good)	8
B+ (Good)	7
B (Above average)	6
C (Average)	5
P (Pass)	4
F (Fail)	0
Ab (Absent)	0

When students take audit courses, they may be given pass (P) or fail (F) grade without any credits.

13. It is settled law that parent framework and regulations prevail over individual university/ school extant rules and regulations, as also observed by a Coordinate Bench of this Court in **Aryan Kumar v. Kendriya Vidyalaya, 2023 SCC OnLine Del 7093**. Additionally, the Hon'ble Supreme Court in **Dr. Dharmendra Kumar v. Banaras Hindu University Thr. Its Vice Chancellor, in Civil Appeal No. 8830/2016, order dated 27.11.2025**, observed as under:-

“5. It is needless to say that the respondent-University or any other University who are governed under University Grants Commission Regulation, 2013, as amended from time to time,



are enjoined and obligated to follow the University Grants Commission guidelines.”

14. Applying the said principles to the present case, the respondent university cannot arbitrarily and unilaterally ignore the parent framework i.e., Curriculum and Credit Framework for Undergraduate Programmes laid down by the UGC and change the grading system.
15. There is no concept of C+, or A- under the Letter Grade and Grade points as per Curriculum and Credit Framework for Undergraduate Programmes laid down by the UGC, as extracted above.
16. The respondent university is also following the 4 year course as mandated by the UGC framework. Additionally, it is only the UGC framework, which mandates 4 credit points, as shown in the mark sheet of the petitioners (extracted above). Whereas, the respondent university's marking system only gives 2/3 credits as per Clause No. 7.2, as reproduced above.
17. From the aforesaid, it is abundantly clear that by and large, the respondent university is following the guidelines/framework of the UGC, as it is mandatorily required to do. Only the Letter Grade and Grade Points has been introduced by the respondent university, which it cannot be so permitted.
18. Additionally, the learned counsel for the petitioners has placed reliance on a judgement passed by a Coordinate Bench of this Court in ***Preeti Umarao v. Jawaharlal Nehru University, 2018 SCC OnLine Del 7501***, wherein it was held:-

“9. Having heard learned counsels for the parties, I am of the considered opinion that keeping in view the admitted facts



which clearly show that the prospectus for the admission was issued by respondent no. 1 in February, 2016 itself i.e. much before the Regulations of 2016 were issued or notified, the present petition is liable to succeed. I find merit in the submission of the learned counsel for the parties that once the admission process had started, the eligibility conditions and other conditions stated in the prospectus cannot be altered to the detriment the students, who apply pursuant to the said prospectus. In this context, reference may be made on the paras 15 & 16 of the decisions of this Court in Varun Kumar Agarwal (supra):—

“15. In *Indu Gupta v. Director Sports, Punjab*, AIR 1999 P&H 319 (FB), the Full Bench in paragraphs 9, 10 and 11 has expressed thus:

9. A Full Bench of this Court in the case of *Raj Singh v. Maharshi Dayanand University*, (1994) 4 Recent Services Judgments, 289 disapproved the liberal construction of the terms and conditions of the brochure and specified the need for their strict adherence to avoid unnecessary prejudice to the candidate or the authority during the course of admission. The bench approved that the eligibility for admission to a course has to be seen according to the prospectus issued before the entrance test examination and that the admission has to be made on the basis of the instructions given in the prospectus having the force of law.

...



10. Subsequently, another Full Bench of this Court in the case of *Rahul Prabhakar v. Punjab Technical University, Jalandhar*, 1997 (3) RSJ 475: (AIR 1998 P&H 18) recapitulated the entire law on the subject. The Full Bench was considering the same brochure for the previous year of the Punjab Technical University. The Court held as under:

“A Full Bench of this Court in *Amardeep Singh Sahota v. State of Punjab* (1993) 4 Serv LR 673 had to consider the scope and binding force of the provisions contained in the prospectus. The Bench took the view that the prospectus issued for admission to a course, has the force of law and it was not open to alteration. In *Raj Singh v. Maharshi Dayanand University*, 1994 (4) R.S.J. 289 another Full Bench of this Court took the view that a candidate will have to be taken to be bound by the information supplied in the admission form and cannot be allowed to take a stand that suits him at a given time. The Full Bench approved the view expressed in earlier Full Bench that eligibility for admission to a course has to be seen according to the prospectus issued before the Entrance Examination and that the admission has to be made on the basis of instructions given in the prospectus, having the force of law. Again Full Bench of this Court in *Sachin Gaur v. Punjab University*, 1996 (1) RSJ 1: (AIR 1996 P&H 109) took the view that there has to be a cut off date provided for admission and the same cannot be changed afterwards. These views



expressed by earlier Full Benches have been followed in CWP No. 6756 of 1996 by the three of us Constituting another Full Bench. Thus, it is settled law that the provisions contained in the information brochure for the Common Entrance Test 1997 have the force of law and have to be strictly complied with. No modification can be made by the court in exercise of powers under Article 226 of the Constitution of India. Whenever a notification calling for applications, fixes date and time within which applications are to be received whether sent through post or by any other mode that time schedule has to be complied with in letter and spirit. If the application has not reached the coordinator or the competent authority as the case may be the same cannot be considered as having been filed in terms of the provisions contained in the prospectus or Information Brochure. Applications filed in violation of the terms of the brochure have only to be rejected.”

11. The cumulative effect of the above well enunciated principles of law, is that the terms and conditions of the brochure where they used pre-emptory language cannot be held to be merely declaratory. They have to be and must necessarily to be treated as mandatory. Their compliance would be essential otherwise the basic principle of fairness in such highly competitive entrance examinations would stand frustrated. Vesting of discretion in an individual in such matters, to waive or dilute the stipulated conditions of the brochure would per se introduce the element of



discrimination, arbitrariness and unfairness. Such unrestricted discretion in contravention to the terms of the brochure would decimate the very intent behind the terms and conditions of the brochure, more particularly, where the cut off date itself has been provided in the brochure. The brochure has the force of law. Submission of applications complete in all respects is a sine qua non to the valid acceptance and consideration of an application for allotment of seats in accordance with the terms prescribed in the brochure.

16. We have referred to the aforesaid decisions only to highlight that the conditions stipulated in the prospectus are guidelines for all concerned and everyone is required to follow the same in letter and spirit and not act in transgression. The hopes and aspirations of the students, who came within the zone of merit, cannot be scuttled by changing the prospectus by way of introducing a corrigendum. A change in the conditions of the prospectus can be conceived of and allowed if such power is specifically reserved while making the prospectus public as in that case, no one can think of having a right. In that event, the same could be capable of change. In the case at hand, in the absence of a power reserved in the prospectus, in our considered opinion, the same could not have been altered by way of corrigendum. It is interesting to note that by issuing a corrigendum, the scenario of results changed because further results were published and



more candidates were called. This, according to us, is nothing but an accommodation. The AIIMS may have been conferred the privilege of institutional preference, but that would not enable AIIMS to change the prospectus in the manner it has been done. Thus, the action of the AIIMS on this score is vitiated and despite the labored attempt by the learned Counsel for the AIIMS, we cannot give the stamp of approval to the action of the institution.”

10. I also find merit in the submission made by Ms. Monika Arora that even if the admission procedure had been completed only after the issuance/notification of the UGC Regulations, 2016 the said regulations could not be made applicable to the students, who had admittedly taken admission pursuant to prospectus issued in February, 2016 wherein it had been specifically stated that the admission was governed by the UGC, Regulations 2009. ...”

(Emphasis added)

19. Similarly, in the present case, once the petitioners have taken admission in the respondent university on the basis of the Prospectus for the Academic Session 2024-2025, which states that the B.A. (Hons.) Course will span across 4 years/8 semesters and which is in line with the NEP 2020, the conditions stated in the prospectus cannot be altered and the same applies to them.
20. For the said reasons, the petition is allowed and the impugned orders dated 10.09.2025, 22.10.2025 and 28.10.2025 are set aside. The



petitioners are permitted to continue in their 3rd Semester.

21. The petition is disposed of in the aforesaid terms, along with pending applications, if any.

JASMEET SINGH, J

JANUARY 20, 2026 / (MS)