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

+ **W.P.(C) 3730/2025**

MOHD SALMAN

.....Petitioner

Through: **Mr. Nadeem Ahmed, Advocate.**

versus

JAMIA MILLIA ISLAMIA UNIVERSITY

.....Respondent

Through: **Mr. K.K. Mishra, ASC.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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13.05.2025

1. The petitioner has made an application for compassionate appointment to the respondent- Jamia Millia Islamia University ["University"]. His father, late Mr. Mohd. Ishaque, was working as a Lab Attendant in the Mechanical Department in the University when he passed away on 21.12.2020.
2. The petitioner first filed W.P.(C) 5873/2023 in respect of his application for compassionate appointment. By order dated 08.05.2023, the respondent was directed to treat the writ petition as a representation. On 07.06.2023, the University intimated to the petitioner that his application was kept on the waiting list for consideration on the availability of vacancy.
3. The petitioner has filed this writ petition contending that compassionate appointment has been made even in the year 2023, in which his name was not considered. He has also placed on record



communications dated 23.08.2024 and 19.02.2025 stating that no waiting list was available on the record of the University for the purposes of compassionate appointment. According to the petitioner, several vacancies are available in Group C, 5% of which ought to be made available for compassionate appointment, but the petitioner's case has not been considered.

4. Pursuant to orders dated 25.03.2025 and 05.05.2025, the University has filed an affidavit dated 08.05.2025, which states that a Committee was constituted on 08.06.2021 to examine applications for compassionate appointment. The criteria formulated by the University was considered by the Committee and having regard to the total number of the vacancies available, nine posts were earmarked for compassionate appointment. It is stated that those posts were filled up according to a shortlist at Annexure R-5 of the counter-affidavit.

5. A new Committee has now been constituted by order dated 07.03.2023 for the same purpose.

6. As far as appointments made in the year 2023 are concerned, the University has specifically replied to the petitioner's allegation, denying that any appointment has been made under the Compassionate Appointment Scheme on 14.09.2023.

7. In the rejoinder affidavit filed today, the petitioner has annexed two orders of compassionate appointment dated 14.09.2023, one issued in favour of Ms. Laxmi Devi, wife of Late Mr. Kanhiya Lal, and the other issued in favour of Mr. Maqsood Alam, son of late Mr. Abdul Qayyum.

8. The counter affidavit does not state clearly as to whether the petitioner's eligibility was considered by the earlier Committee, whether



he was found eligible or not, and whether the Committee now constituted will look into the petitioner's application again.

9. However, Mr. Mishra states, upon instructions of the Registrar of the University, who is present on video conference, that the petitioner was found to be an eligible candidate for compassionate appointment in terms of the applicable criteria and that he remains on the wait list; his appointment was not processed earlier due to insufficiency in the number of vacancies, and availability of candidates higher in the priority list.

10. It is specifically stated that a document dated 25.01.2022 prepared by the University [Annexure R-4 to the counter affidavit] constitutes the list of eligible applicants, out of whom 10 applicants have already been granted appointments. The petitioner's name appears at number 36 in the said list. The very same list, in addition to later applications, will be placed before the Committee now constituted, which will determine the number of available vacancies and make its recommendations as to filling up the said vacancies.

11. As far as the appointments made on 14.09.2023 are concerned, it is stated that the appointment of Mr. Maqsood Alam was made on 14.09.2023 due to a delay in completion of documentation, although he was recommended by the Committee in the year 2022. The appointment of Ms. Lakshmi Devi was made on 14.09.2023, due to a vacancy having arisen as one recommended candidate did not join.

12. The above submissions are taken on record as the undertaking of the Registrar before the Court.

13. The writ petition is disposed of, binding the respondent to the aforementioned submissions, including consideration of the petitioner's



case by the Committee now constituted, in accordance with the position in the waiting list.

MAY 13, 2025
UK/JM/

PRATEEK JALAN, J