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

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Judgment Delivered on: 26.08.2025+ **W.P.(C) 11541/2025 & CM APPL. 47192/2025****JIGYANSH GADI**

.....Petitioner

Through: Mr. Maninder Singh, Sr. Adv. with
Mr. Ajay Kumar Pipaniya, Ms.
Pallavi Pipaniya, Ms. Sanjana Nair
and Ms. Janvi Narang, Advs.

versus

UNIVERSITY OF DELHI AND ORS

.....Respondents

Through: Mr. Santosh Kumar and Mr. Devansh
Malhotra, Advs. for R-1.
Mr. Ankur Chhiber and Mr.
Anshuman Mehrotra, Advs. for R-2
Ms. Nidhi Banga, Sr. Panel Counsel
with Mr. Sandeep Choudhary, Advs.
for R-3.

CORAM:**HON'BLE MR. JUSTICE VIKAS MAHAJAN****JUDGMENT****VIKAS MAHAJAN, J (ORAL)**

1. The present petition has been filed by the petitioner seeking direction to the respondents to forthwith grant admission to the petitioner in B.Com (Hons.) course at Shri Ram College of Commerce ('SRCC')/respondent no.2, University of Delhi ('University')/respondent no.1, under the Persons with Disabilities ('PwD') category.

2. The case set out by the petitioner in the present petition is that

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petitioner applied for CUET (UG)-2025 examination under PwD category and submitted valid medical and psycho-educational documents evidencing his Specific Learning Disability ('SLD') to the University.

3. Based on said documents, National Testing Agency ('NTA') issued the admit card to the petitioner under PwBD category. Accordingly, the petitioner appeared in the examination and availed benefits which are extended to PwBD candidates.

4. On 04.07.2025, the CUET results were declared and name of the petitioner came in the first cut-off list under the PwBD category published by the University on 19.07.2025. Pursuant thereto, petitioner was allotted a seat in B.Com (Hons.) course at SRCC.

5. It is the case of the petitioner and so contended by Mr. Maninder Singh, learned Senior Counsel appearing on behalf of petitioner that on 20.07.2025, all of a sudden and to utter shock of petitioner, Admission Committee of SRCC raised a query asking petitioner to upload a separate PwBD certificate by 21.07.2025 apart from the certified medical documents issued by the certified authority, time and again, in favour of the petitioner.

6. He submits that immediately thereafter, petitioner submitted all the relevant documents including, Unique Disability ID ('UDID') application acknowledgement dated 11.07.2025 issued by the Ministry of Social Justice and Empowerment and medical referrals from the Institute of Human Behaviour and Allied Sciences ('IHBAS') dated 21.07.2025.

7. He submits that despite submitting all the requisite documents, certificates and acknowledgments, SRCC on 23.07.2025 denied admission to petitioner by rejecting his application with remarks 'Application Rejected- Invalid category documents/ certificates submitted'.



8. He submits that providing one-day window to a candidate for furnishing an official disability certificate and UDID is arbitrary and unreasonable.

9. He submits that the petitioner was possessing the Psychological Assessment Report dated 17.08.2018 from St. Stephen's Hospital, which contains the following recommendations for petitioner:

- “• Child will require supportive environment to help him cope with his attention and learning difficulty.*
- Parental psycho-education to help them understand and deal with his condition.*
- Behavioural therapy and attention enhancement tasks to deal with his attention deficits and remedial education for his academic difficulties.*
- As the child has low attention span and difficulty in writing, he should be given extra time to finish his writing task.”*

10. He submits that apart from aforesaid Report, Psycho-Educational Report obtained by the petitioner along with medical certificate from 'ParamarsH' establishes petitioner's SLD above 40% and the same has been accepted throughout petitioner's school education.

11. He submits that the information to upload a new certificate was received by the petitioner from SRCC only on 19.07.2025, which was Saturday, and immediately thereafter, on 21.07.2025 i.e. Monday, the petitioner had approached IHBAS for his assessment, wherefrom, he was referred to CGC for assessment on Tuesday i.e. 22.07.2025.

12. He submits that the petitioner was never denied the benefits of PwBD, therefore, he was under bona fide impression that his documents were complete and valid in the eyes of all competent authorities and that there was no requirement for submission of any further certificate or



documentation.

13. He submits that none of the medical institution/authorities which assessed the petitioner had ever recommended him to apply for some other certificate.

14. He invites attention of the Court to Section 2(y) of the Rights of Persons with Disabilities Act, 2016 ('the Act') which defines 'reasonable accommodation', as well as, to provisions of Section 16(iii) to contend that the appropriate Government and local authorities are under obligation to provide reasonable accommodation to a PwBD candidate.

15. He further refers to Section 51(2) of the Act to contend that the said provision provides a period of 90 days within which a certificate of registration is to be issued to a PwBD candidate by the competent authority. He submits that since the process was set into motion by the petitioner only on 21.07.2025, it will take some time for the competent authority to issue the requisite certificate to the petitioner. He, therefore, urges that pending issuance of such certificate, the petitioner may be accommodated against a supernumerary seat.

16. He further submits that in case the petitioner is not issued a certificate certifying to the effect that the petitioner has benchmark disabilities, the petitioner will withdraw his admission.

17. He submits that once the petitioner was permitted to appear in CUET examination under the PwBD category on the basis of said certificate, as per principle of legitimate expectation, the petitioner should have been at least provisionally granted admission.

18. Reliance has been placed by Mr. Singh on the decision of the High Court of Bombay in *Suyash Suryakant Patil vs. National Medical*



Commission & Ors., (2025) SCC OnLine Bom 369 to contend that in somewhat similar circumstances, the High Court of Bombay had directed the respondents therein to admit the PwD candidate, though he had submitted the requisite certificate indicating his physical disability much later after the cut-off date. He also places reliance on another decision of the Bombay High Court in *Shahid Akeel Shaikh vs. Union of India, (2024) SCC OnLine Bom 3027*.

19. He further places reliance on the order dated 23.08.2023 passed by the High Court of Jammu and Kashmir in W.P.(C) 2191/2023 titled as *Dhunoon Khan vs. UOI*, to submit that in the said case the Court had allowed the PwD candidate to participate in the counselling on provisional basis with further direction that the candidate shall file an undertaking before the respondent therein that if the petition is decided against the candidate, the admission shall stand cancelled.

20. *Per contra*, Mr. Santosh Kumar, learned counsel appearing on behalf of the University at the outset submits that petitioner has failed to furnish a valid disability certificate in the prescribed format within the stipulated time, as mandated under the applicable admission guidelines.

21. He submits that entire admission process is governed by a uniform, transparent and time-bound framework laid down in the Common Seat Allocation System [hereinafter 'CSAS (UG) – 2025'] and the Undergraduate Bulletin of Information 2025 [hereinafter, 'Bulletin'], both of which were publicly notified well in advance and are binding upon all candidates, including the petitioner.

22. He submits any failure to submit the requisite document(s) in the stipulated format and timeline, as per the notified admission schedule,



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results in automatic rejection of candidature, without any discretion being vested in the University or the College to relax or waive such compliance.

23. He submits that requirement of submitting a valid PwBD certificate was provided in CSAS (UG) – 2025 and is not a newly introduced condition.

24. He submits that though the petitioner was extended all applicable benefits including compensatory time and other examination related concessions, the admit card issued to petitioner expressly records that admission is provisional in nature subject to candidate fulfilling and satisfying all eligibility conditions prescribed under the applicable rules. To elaborate this, he invites attention of the Court to Clause 13 of Admit Card.

25. He submits that allocation of seat to petitioner on 19.07.2025 under Round-I of CSAS admission was purely provisional.

26. He further invites attention of the Court to the Bulletin to contend that the said Bulletin was released as early as on 07.03.2025 and thus, petitioner had enough time to procure a valid certificate before 21.07.2025.

27. He further refers to Chapter V of CSAS (UG) – 2025 to submit that it specifically provides that format of PwD certificate issued after 01.06.2025 must be as per the Gazette notification No. 1736(E) dated 05.05.2021 issued by the Department of Empowerment of Persons with Disabilities and applied through UDID portal.

28. He further contends that in the present case the disability certificate in the prescribed format has not been issued at all. He contends that the correction window was available to all candidates to upload the documents and change their category and period for the same was available from 06.07.2025 till 11.07.2025.

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29. Mr. Anshuman Mehrotra, learned counsel for the respondent no.2/SRCC, in addition, submits that the certificate should have also been linked with the UDID, which is not done in the present case. Rather, the petitioner had applied for UDID only on 11.07.2025.

30. He submits that decisions relied upon by petitioner are not applicable to the facts of the instant case. He, thus, urges the Court to dismiss the writ petition.

31. I have heard the learned counsels for the parties and perused the material on record.

32. While filling his application for CUET (UG) Examination-2025, petitioner had mentioned his category as PwBD. The Bulletin for admission to UG programmes for Academic Session 2025-2026 was issued by the University on 07.03.2025. In respect of PwBD candidates, the Bulletin specifically notified that for the format of PwD certificate, candidates may refer to admission website 'www.admission.uod.ac.in'. It was further clarified that disability certificate issued after 01.06.2021 must be as per the gazette notification no. 1736(E) dated 05.05.2021 issued by the Department of Empowerment of Persons with Disabilities and applied through UDID portal. Candidates were further put to notice that they must ensure that PwD certificate is in the name of the candidate and issued by a recognized Government hospital bearing duly attested photograph of a candidate. Relevant extracts from the said Bulletin reads as under:

"Persons with Bench Disabilities (PwBD)"

xxx

xxx

xxx

For the format of PwBD certificate, refer to Admission website www.admission.uod.ac.in. Disability Certificates issued after 01.06.2021 must be as per the Gazette Notification no. 1736 (E)



dated 05.05.2021 issued by the Department of Empowerment of Persons with Disabilities and applied through UDID portal. However, Disability Certificates issued before 01.06.2021, will be considered as per other existing applicable rules and notifications of the Department of Empowerment of Persons with Disabilities and the University of Delhi.

xxx

xxx

xxx

Candidates must ensure that the PwBD certificate is in the name of the candidate and issued by a recognized Government Hospital, bearing duly attested photograph of the candidate.”

33. After having qualified CUET, petitioner was required to register himself under the CSAS (UG)-2025. Chapter 5 [Allocation Rules] of CSAS *inter alia* provides that candidates belonging to various reserved categories who do not have a valid certificate/document issued by respective issuing authority at the time of applying to CSAS (UG)-2025 will not be considered for allocation in the relevant category as claimed. Relevant Clause 5 under Chapter 5 reads thus:

*“If candidates belonging to SC/ST/OBC-NCL/EWS/Minority/PwBD/KM/CW/ Single Girl Child/Orphan category **do not have a valid certificate/ document** issued by the respective issuing authority **at the time of applying to CSAS(UG)-2025**, they will not be considered for allocation in the relevant category as claimed.”*

(emphasis supplied)

34. CSAS (UG)-2025 also provides the following format in which disability certificate has to be issued by the concerned authority:



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PERSONS WITH BENCHMARK DISABILITIES CERTIFICATE

(NAME AND ADDRESS OF THE MEDICAL AUTHORITY ISSUING THE CERTIFICATE)

Recent PP size
attested
photograph
(showing face only) of
the person with
disability

Certificate No. _____

Date: _____

This is to certify that I have carefully examined Shri/Smt./Kum. _____
son/wife/daughter of Shri _____
Date of Birth (DD/MM/YY) _____ Age _____
years, male/female
Registration No. _____ permanent resident of House No. _____
Ward/Village/Street _____ Post _____
Office _____ District _____ State _____
whose photograph is affixed above, and am satisfied that

1. he/she is a case of:

- a. locomotor disability
- b. blindness

(Please tick as applicable)

2. the diagnosis in his/her case is _____

3. He/She has _____ % (in figure) _____ per
cent (in words) permanent physical impairment/blindness in relation to
his/her _____
(part of body) as per guidelines (to be specified).

4. The applicant has submitted the following document as proof of residence:-

Nature of Document	Date of Issue	Details of authority issuing certificate
(Signature and Seal of Authorised Signatory of notified Medical Authority)		



(Signature/Thumb impression of the person in whose favour the disability certificate is issued.)

35. Petitioner was allotted a seat under Round-I of CSAS (UG)-2025 Admissions for B.Com (Hons.) in SRCC. It appears that pursuant to said allocation, petitioner uploaded the requisite documents for the purpose of verification by the allotted college. SRCC, however, found that PwBD

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certificate uploaded by petitioner was not as per the prescribed format.

36. Accordingly, SRCC raised a query on the CSAS Portal on 20.07.2025, thereby, directing petitioner to upload the certificate duly authorized by competent authority in the prescribed format by 21.07.2025. It appears that petitioner was not possessing any disability certificate in a prescribed format certifying his disability to the extent of 40% or above. He seems to have approached IHBAS on 21.07.2025 for the said purpose, from where he was referred to Lady Hardinge Medical College for assessment on 22.07.2025, and reported on the said date itself.

37. Thereafter, petitioner also sent an e-mail on 23.07.2025 to the University stating that due to unforeseen circumstances he could not produce his PwBD certificate till 22.07.2025 and requested for two-to-three days extension to submit the certificate.

38. The certificate depicting extent of petitioner's disability, which has been annexed with the present petition, to which attention of the Court has been drawn by Mr. Singh, is the certificate which has been issued by the private hospital viz. 'ParamarsH'. The said certificate is not in the prescribed format. Whereas, the Psychological Assessment Report issued by St Stephen Hospital is neither in the prescribed format nor does it specify the extent of disability.

39. Indubitably, the petitioner did not possess the disability certificate issued by the Government hospital in the prescribed format as required by the Bulletin issued by the University, as well as, in terms of CSAS (UG)-2025, as on the date of applying to CSAS (UG)-2025.

40. Also, as per the Bulletin, the PwD certificate ought to have been applied through UDID Portal. It is the case of petitioner himself that he had

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applied through UDID portal only on 11.07.2025.

41. Incidentally, it is the submission of Mr. Singh that since petitioner has already applied for the disability certificate, he be given some time to furnish the disability certificate and in the meanwhile, he should be granted admission by creating a supernumerary seat.

42. This contention of Mr. Singh cannot be accepted. The stipulations contained under Bulletin read with CSAS (UG)-2025 unequivocally provides that a candidate must possess a valid certificate at the time of applying to CSAS (UG)-2025, for being considered for allocation in the relevant category as claimed.

43. The Bulletin was notified as early as on 07.03.2025, whereas CSAS (UG)-2025 was notified on 18.06.2025, i.e. much prior to the declaration of result of CUET-2025 on 04.07.2025. Therefore, petitioner cannot feign ignorance about the requirement of possessing a valid certificate on the date of making an application under CSAS (UG)-2025.

44. No provision in the Bulletin has been pointed out by Mr. Singh which provides for relaxing the said Rule, or the cut-off date, on which a candidate is to possess a valid certificate to establish the relevant category claimed.

45. A Coordinate Bench of this Court in ***P. Nihal Srivastava Through his Natural Guardian P. Harish Babu vs. Union of India, 2024 SCC OnLine Del 3113***, while dealing with the prayer for change of category from General to PwD, which petitioner therein had failed to mention while submitting his application form and further did not avail the opportunity of correcting the particulars during the window period provided for the said purpose, observed as under:



*“27.6 Mr. Nazeem fervently argued that the situation in which the petitioner finds himself is owing to no fault of his, but because of the elections which were in progress in the State of Telangana. He submits that, therefore, it would be a travesty of justice if, owing to no fault of his, the petitioner were to be prejudiced. This contention is obviously unacceptable. **Rules governing an examination, especially an examination conducted at an all India level, are equally applicable to all students. If any relaxation is required to be made, that relaxation has to find place in the rule. If Courts were permitted to tweak the rule to suit personal exigencies and deal with difficulties being faced by individual students, even if those difficulties are not attributable to any fault on the part of the students, it would result in total anarchy and may even result in formidable difficulties in assessing, compiling, and declaring the results.***

27.6 The Court has also to be mindful of the fact that the impugned rule is part of the academic policy followed by the JEE. In matters of academic policy, the Court should hold its hands, and eschew interference, unless the policy is starkly discriminatory or otherwise unconstitutional for any reason. The Court cannot start tweaking academic policy or modulating the existing rules to suit individual candidates and the circumstances - perhaps unfortunate - in which they find themselves.”

(emphasis supplied)

46. Clearly, this Court in exercise of its jurisdiction under Article 226 of the Constitution of India cannot tweak the procedure provided in the Bulletin to grant succour to one candidate on sympathetic consideration as it would amount to making an inequitable exception, thereby, denying equal opportunity to other similarly situated candidates who were not possessing valid and prescribed certificates in support of their respective category at the relevant time of applying in CSAS (UG)-2025.

47. The submission made by Mr. Singh with reference to Section 2(y)



read with Section 16 (iii) of the Act to the effect that the Government Authorities are under legal obligation to provide reasonable accommodation to PwD candidates is misconceived for the reason that Bulletin providing information regarding requirement of possessing a valid certificate was available in the public domain as early as on 07.03.2025. Therefore, it cannot be accepted that the petitioner was not given reasonable accommodation by the University.

48. Likewise, the submission of Mr. Singh that petitioner should have been provided 90 days' time to procure the certificate in terms of Section 51(2) of the Act is also misconceived, inasmuch as, the said Section falls under Chapter-IX of the Act, which deals with registration of institutions for persons with disabilities and grants to such institutions. Therefore, 90 days period mentioned in the said Section is available for the purpose of grant of registration to the institutes and is not applicable to the candidates.

49. Further, this Court cannot be unmindful of the settled legal position that the procedure prescribed in the prospectus/bulletin of information issued by the institutions / universities is binding and no mandamus can be issued to educational institution/university to act contrary to their own procedure.¹

50. At this stage, apt would it be to deal with decisions relied upon by Mr. Singh in support of his case.

51. Reliance on the order dated 23.08.2023 passed by High Court of Jammu & Kashmir and Ladakh in WP (C) 2191/2023 titled as ***Dhunoon Khan*** (supra) is misconceived, as in the said case, the petitioner therein had challenged the certificate issued by the Medical Board of Lady Hardinge Medical College and Associated Hospitals, New Delhi, whereby the Board



had concluded that the petitioner is not eligible to pursue the medical course as per NMC norms. In contrast, in the present case the petitioner was not having a valid disability certificate at the time of applying to CSAS (UG)-2025.

52. Similarly, the decision of Division Bench of High Court of Bombay in *Suyash Suryakant Patil* (supra) will also not advance the case of the petitioner. In the said case, the petitioner therein had sought declaration as regards his eligibility to pursue the MBBS course. Since, his disability of speech and hearing was found to exceed the benchmark of 40%, he was held not eligible to pursue the medical course as per the Gazette Notification dated 5th February 2019 published by the Medical Council of India as amended on 13th May 2019. It was his case that providing benchmark disability of 40% and below for pursuing medicine is arbitrary and without any scientific basis. Hence, the core issue before the High Court of Bombay was not about the petitioner therein not submitting his valid disability certificate before the last date of submission, but the denial of admission on the ground of disability exceeding benchmark of 40%.

53. Likewise, reliance placed by Mr. Singh on the decision in *Shahid Akeel Shaikh* (supra) is also misplaced. In the said case, the petitioner who suffered from a locomotor disability to the extent of 40%, but had failed to mention the same in his application form, sought an appropriate writ from the High Court of Bombay to direct respondents therein to admit him to the MBBS course against the PwD-OBC (PH) quota. The petitioner had within time visited the required medical college/hospital for certification of his disability position. However, the said college/hospital declined to examine

¹ Maharshi Dayanand University v. Surjeet Kaur, (2020) 11 SCC 159.



him for the reason that he had failed to disclose in his application form that he is a PwD candidate. Despite this, petitioner was permitted by the authorities to attend counselling round. The Court noted that even though there was an inadvertent error on part of petitioner in mentioning his relevant category, he was provisionally selected for admission in MBBS course against PwD-OBC (PH) quota. The Court further observed that the petitioner was also not indolent as he had timely knocked the doors of the medical college/hospital, where he was to be examined. Therefore, in such peculiar facts and circumstance, the writ petition was allowed with direction to respondents therein to confirm the provisional admission granted to petitioner.

53.1. Whereas, in the present case, as noted above, the Bulletin was notified as early as on 07.03.2025, CSAS (UG)-2025 was notified on 18.06.2025, i.e. much prior to the declaration of result of CUET-2025 on 04.07.2025. It is the case of the petitioner that he applied for his UDID only on 11.07.2025 and approached IHBAS for issuance of prescribed certificate on 21.07.2025. Clearly, the petitioner displayed lackadaisical attitude, which was not the position in *Shahid Akeel Shaikh* (supra). Further, the petitioner in the present case does not have the valid certificate till date.

54. In view of the above discussion, this Court finds no merit in the present petition.

55. The petition, along with pending application, is dismissed.

VIKAS MAHAJAN, J

AUGUST 26, 2025
N.S.ASWAL/jg