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

+ W.P.(C) 12528/2024 & CM APPL. 52054/2024

DUSHYANT KUMAR SONWANI

.....Petitioner

Through: Mr. Manu Garg, Advocate.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Ms. Avshreya Pratap Singh, SPC
with Ms. Usha Jamnal and Ms.
Harshita Chaturvedi, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **14.05.2025**

1. The petitioner was a candidate for the post of Post Graduate Teacher (Biology), pursuant to a recruitment exercise undertaken by respondent No. 2 – National Education Society for Tribal Students [“NESTS”] in the year 2023. The petitioner’s candidature was rejected by an email dated 24.06.2024, on the ground that his post-graduate degree was not in “Botony/Zoology/Biology”, as required in the advertisement, but rather in “Biotechnology”.

2. This very question arose in W.P.(C) 9208/2024, in which on 07.04.2025, it was held as follows:

“7. Ordinarily, the writ court would defer to the employer in matters concerning equivalence of degrees, unless a case of manifest unreasonableness or arbitrariness is made out, to a high threshold. In the present case, however, that occasion has not yet arisen, as the respondents have not placed on record any expert determination as to whether an M.Sc. in Biotechnology qualification satisfies the stipulated



essential qualification. The fact that candidates possessing M.Sc. degrees in Microbiology have been offered employment for this post, shows that NESTS, quite rightly, has not proceeded on the nomenclature of the degree, but on an assessment of whether the degree, in fact, fulfils the requirements of an M.Sc. in Biology. A similar exercise should, in my view, be undertaken for the degree in Biotechnology, in order to arrive at a conclusive decision.

8. The writ petition is, therefore, disposed of, with the direction that petitioner will submit her course syllabus, year-wise marksheets, and other relevant documents to the respondent, within one week from today.

9. The respondents are directed to examine the issue, and pass an appropriate order within six weeks thereafter.

10. All rights and contentions of the parties in the writ petition are left open for consideration thereafter.”

3. As the issue involved in the present case is admittedly the same as the issue involved in W.P.(C) 9208/2024, this petition is also disposed of in terms of the directions quoted above.

4. Pending application also stands disposed of.

PRATEEK JALAN, J

MAY 14, 2025

SS/AD/