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

+ LPA 1082/2024, CM APPL. 63823/2024, CM APPL. 63824/2024 &
CM APPL. 7711/2025

ST. STEPHENS COLLEGE

.....Appellant

Through: Mr. A. Mariarputham, Sr. Advocate,
Mr. Romy Chacko, Sr. Advocate
with Mr. Ankit Sharma, Mr. Kartik
Venu, Mr. Arputham, Mr. Sachin
Singh Dalal and Ms. Anuradha
Arputham, Advocates.

versus

UNIVERSITY OF DELHI AND ORS

.....Respondents

Through: Mr. Mohinder J.S. Rupal, Mr. Hardik
Rupal and Ms. Aishwarya Malhotra,
Advocates for University of Delhi.
Mr. Manoj Ranjan Sinha and Mr.
Vishal Agrawal, Advocate for
UGC/R-4.

(16)

+ LPA 914/2024, CM APPL. 52929/2024 & CM APPL. 52930/2024
ST. STEPHENS COLLEGE

.....Appellant

Through: Mr. A. Mariarputham, Sr. Advocate,
Mr. Romy Chacko, Sr. Advocate
with Mr. Ankit Sharma, Mr. Kartik
Venu, Mr. Arputham, Mr. Sachin
Singh Dalal and Ms. Anuradha
Arputham, Advocates.

versus

VANYA MALIK AND ORS.

.....Respondents

Through: Mr. Sanjay Khanna, Standing
Counsel with Ms. Pragya Bhushan
and Mr. Tarandeep Singh, Advocates
for NTA.
Mr. Mohinder J.S. Rupal, Mr. Hardik
Rupal and Ms. Aishwarya Malhotra,
Advocates for University of Delhi.
Mr. Manoj Ranjan Sinha and Mr.
Vishal Agrawal, Advocate for
UGC/R-4.
Ms. Natasha Dalmia, Advocate for

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respondents.

(17)

+ LPA 916/2024, CAV 451/2024, CM APPL. 52935/2024 & CM APPL. 52936/2024

ST STEPHENS COLLEGE

.....Appellant

Through: Mr. A. Mariarputham, Sr. Advocate,
Mr. Romy Chacko, Sr. Advocate
with Mr. Ankit Sharma, Mr. Kartik
Venu, Mr. Arputham, Mr. Sachin
Singh Dalal and Ms. Anuradha
Arputham, Advocates.

versus

HARGUN SINGH AHLUWALIA AND ORSRespondents

Through: Mr. Sanjay Khanna, Standing
Counsel with Ms. Pragya Bhushan
and Mr. Tarandeep Singh, Advocates
for NTA.

Mr. Rustam Singh, Advocate for R-2
& 4.

Mr. Mohinder J.S. Rupal, Mr. Hardik
Rupal and Ms. Aishwarya Malhotra,
Advocates for University of Delhi.

Mr. Manoj Ranjan Sinha and Mr.
Vishal Agrawal, Advocate for
UGC/R-4.

Ms. Natasha Dalmia, Advocate for
respondents.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

19.05.2025

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1. Heard the learned counsel for the parties.
2. On 20.02.2025, in its order, the Court had noted that a meeting was held on 06.02.2025 between the University administration and the College management where certain issues had been sorted out. The Court had also observed that if the College management feels that there were issues still to

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be resolved with the University, meeting of the management of the College with University administration shall be convened for discussing and arriving at some solution.

3. We have been informed by learned counsel for the College, which is affirmed by learned counsel representing the University, that so far as the issue relating to extra allocation of students is concerned, the issue between the College and the University has been sorted out. We have also been informed by learned counsel representing the College management and University that the issue relating to reservation available to single girl child also stands resolved. We, thus, note the statement made by the learned counsel for the university as also the college management.

4. The other issue which appears to have been raised in these matters, is in relation to the determination of percentage of reservation in case where a fraction is to be taken into account.

5. Since broader issues between the parties have been settled, we state that at this juncture, the issue relating to fraction need not be gone into which is kept open to be raised and considered in any other appropriate matter.

6. Though the issue relating to providing for reservation in admission to the students belonging to scheduled castes and scheduled tribes community does not directly arise in these matters, however, learned counsel representing the college has drawn our attention to Article 15(5) of the Constitution of India and has stated that the said provision carves an exception in providing reservation in the matter of admission to educational institutions to the candidates belonging to scheduled castes and scheduled tribes community which is to the extent that the said provision is not

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juncture, has stated that he does not dispute the provision contained in Article 15(5) of the Constitution of India, however, it is to be noticed that the College management itself has provided certain percentage of reservation in admission to the students belonging to scheduled castes and scheduled tribes community.

7. In view of the aforesaid statement, we may observe that we are not expressing any opinion in these matters about the reservation available to the candidates belonging to scheduled castes/schedule tribes communities in a minority institution for the reason that the issue has not arisen in these matters. Thus, we provide that in case any such issue arises in any other matter in future, the same shall be considered and any observation made by us in this order or in any earlier order in this batch of petitions will have no bearing on the said issue.

8. We further observe that we have not adjudicated any other issue. Regarding the students, we in our order dated 20.02.2025 have already noticed that the students admitted under the interim orders passed earlier, shall not be disturbed. We have been informed that these students are continuing with their studies without any disruption. We thus note the said statement. The appeals are thus disposed of in the aforesaid terms.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

MAY 19, 2025/kct

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