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

+ W.P.(C) 15352/2025

NEHA MALAV

.....Petitioner

Through: Mr. Deepak Janghu, Mr. Ankit Mittal
and Mr. Sachin, Advs.

versus

DEAN (ADMISSIONS BRANCH), UNIVERSITY
OF DELHI & ORS.

.....Respondents

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

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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17.10.2025

1. The present petition has been filed seeking following reliefs:

- a) *Issue a writ of mandamus directing the Respondent No. 1 to immediately disclose the present vacancy position in the LLB programme (CUET-PG 2025) after the 4th Spot Round;*
- b) *Direct the Respondents to consider the Petitioner (151 marks, only 4 marks short of the cutoff) for admission against such seats, if any remain vacant, in the interest of justice and to prevent wastage of public resources;*
- c) *Declare that the Respondents' non-disclosure of vacancy status and non-consideration of the Petitioner is arbitrary, unconstitutional and violative of Articles 14,16,16(4), 21, 21A and 29(2);*
- d) *Invoke this Hon'ble Court's jurisdiction under Articles 226 and 227 read with Section 151 CPC to pass such orders as may be necessary to secure complete justice."*



2. The case set out by the petitioner in the present petition is that the petitioner is an aspirant for admission to Bachelor of Laws (LL.B.) programme at the Faculty of Law, University of Delhi for the current Academic Session 2025-26. The petitioner belongs to the Other Backward Class (OBC) category and has secured 151 marks in the CUET-Post examination, Test Paper Code-COQP11.

3. On 02.09.2025, the respondent no.1/University issued a notification for the 4th Spot Round of admissions and also published the vacancy position of PG Programmes. The said vacancy list shows that as many as 98 seats under the OBC + UR categories are still lying vacant in the LL.B. programme.

4. Mr. Deepak Janghu, learned counsel appearing on behalf the petitioner submits that since the seats are available and the OBC category cut-off for the admission in 4th Spot Round was 155 marks, the petitioner having secured 151 marks is eligible for admission, if another round of counselling is conducted.

5. On the other hand, Mr. Mohinder J.S. Rupal, learned counsel appearing on behalf of the respondent/University of Delhi [hereinafter the 'University'] invites attention of the Court to the notification dated 29.09.2025 issued by the respondent/University stating that the last date of admissions to various Under-Graduate Programmes, Post-Graduate Programmes, B.Tech Programmes and Five Year Integrated Law Program for the Academic Session 2025-26 was 30.09.2025. The notification dated 29.09.2025 is taken on record, the relevant part of which reads thus:

“NOTIFICATION

The last date of admissions to various Undergraduate (UG)



Programs, Postgraduate (PG) Programs, B.Tech. Programs and Five-Year Integrated Law Programs for the Academic Session 2025-26 is 30th September, 2025 except Integrated Teacher Education Programme (ITEP).

The withdrawal options for all the above-mentioned programs will be available from 30th September, 2025 to 10th October 2025; and the refund of fees in lieu of the withdrawal, the last date will be 10th October, 2025.”

6. He submits that since the admission process has already come to an end on 30.09.2025, there is no question of conducting any further round.

7. He has invited attention of the Court to the decision of the Hon’ble Division Bench of this Court in **Sumit Kumar Singh & Anr. V. University of Delhi** [LPA 1062/2024; date of decision 30.01.2025], to contend that the controversy in the present case is squarely covered by the said decision.

8. Having heard the learned counsel for the parties, this Court finds that indubitably, the admission process came to an end on 30.09.2025. At this stage no fresh round of counseling can be ordered by this Court.

9. In **Sumit Kumar Singh (supra)**, it has been observed by the Hon’ble Division Bench of this Court that the admissions cannot be permitted to continue endlessly. It has been further held by the Court that even if the seats are unfilled, that cannot be a ground for making midstream admissions.

The relevant paragraph of the said decision reads thus:

“16. There is merit in the contention of the learned counsel for the respondent no.1/DU. If this Court were to agree with the submissions of the appellants, there would be no closure to the admission process/filling up of seats or counseling which would be an incongruous and unpalatable situation. Everytime a seat would fall vacant on account of some student leaving the course mid way, some aspirant would petition the High Court under Article 226 of the Constitution of India seeking mandamus for



filling up the vacant seat. The universities would endlessly continue the admission process, maybe right uptill the end of the said academic session. This interpretation would create an unending loop for the Universities in general which cannot be countenanced. It was in this context that the Supreme Court in *Neelu Arora (supra)* had laid down as under:

“6. When a detailed scheme has been framed through orders of this Court and the manner in which it has to be worked out is also indicated therein, we do not think that if in a particular year there is any shortfall or a certain number of seats are not filled up, the same should be done by adopting one more round of counselling because there is no scope for the third round of counselling under the Scheme. It would not be advisable to go on altering the Scheme as and when seats are found vacant. What is to be borne in mind is that broad equality will have to be achieved and not that it should result in any mathematical exactitude. Out of about 1600 seats, if 250 seats are not filled up for various reasons, we do not think it should result in the third round of counselling. If that process is to be adopted then there will be again vacancies and further filling up of the seats falling vacant will have to be undertaken. In that process, it will become endless until all the seats under the all-India quota are filled up. That is not the object of the Scheme formulated by this Court. The object was to achieve a broad-based equality as indicated by us at the outset and we do not think that any steps have to be taken for altering the Scheme. Moreover, this Court in *Medical Council of India v. Madhu Singh* has taken the view that there is no scope for admitting students midstream as that would be against the very spirit of statutes governing medical education. Even if seats are unfilled, that cannot be a ground for making mid-session admissions and there cannot be telescoping of unfilled seats of one year with permitted seats of the subsequent year. If these aspects are borne in mind, we do not think any reliefs as sought for by the petitioners can be



granted under these petitions.”

(emphasis supplied)

*It is pertinent to note that while rendering the above opinion, the Supreme Court also considered the earlier judgement in the case of **Medical Council of India vs. Madhu Singh & Ors**; reported in (2002) 7 SCC 258, to reiterate that **admitting students midstream would be against the very spirit of statutes governing medical education, as it was in that case. It was also held that even if seats are unfilled, that cannot be a ground for making midstream admissions.** The same can be applied on all fours to the present case too. Undeniably, the course commenced from September, 2024 and as per learned counsel for the respondent no.1/DU, End Semester examinations were to be held in December, 2024, thus squarely falling within the mischief of the ratio in **Medical Council of India (supra)**. As per records, the underlying writ petition was filed only on 30.09.2024, by which time the session had already commenced. Moreover, it has been asserted by the respondent no.1/DU that there were no seats left unfilled.”*

10. The above decision though relates to the admissions in medical stream, but the principle laid down therein squarely applies to admissions in LLB programme as well.

11. In view of the above facts and the law exposted by the Hon'ble Division Bench of this Court in **Sumit Kumar Singh** (supra), this Court finds no merit in the present petition.

12. The petition is accordingly, dismissed.

VIKAS MAHAJAN, J

OCTOBER 17, 2025

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