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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 14th November, 2025*+ **W.P.(C) 16149/2025****ANKUSH RANA AND ORS**

.....Petitioners

Through: Mr. Vignesh Singh, Mr. Shivaji M. Jadhav, Mr. Brij Kishor Sah and Ms. Apurva, Advocates.

versus

ICAR-INDIAN COUNCIL OF AGRICULTURAL RESEARCH AND ORS.

.....Respondents

Through: Mr. Ashish Tiwari, Mr. Anurag Tiwari and Mr. Sahib Patel, Advocates for R-1. Ms. Sangita Malhotra, SPC with Mr. Vinod Kumar Gupta, Advocates for R-3 and 4.

CORAM:**HON'BLE MS. JUSTICE JYOTI SINGH****JUDGEMENT****JYOTI SINGH, J. (ORAL)****CM APPL. 68096/2025**

1. This is an application filed by Ms. Sangita Malhotra, learned Senior Panel Counsel for marking her appearance on behalf of Union of India in the order dated 17.10.2025.
2. For the reasons stated in the application, the same is allowed, marking the appearance of Ms. Sangita Malhotra on behalf of Union of India, in the order dated 17.10.2025.
3. Application stands disposed of.

W.P.(C) 16149/2025 & CM APPL. 66096/2025

4. This writ petition is filed on behalf of the Petitioners under Article



226 of the Constitution of India seeking the following reliefs:-

“a) Issue a writ of mandamus or any other appropriate writ, order, or direction, directing the Respondents to extend the cut-off date for completion of degree program/Provisional Degree Certificates (PDC) by 15 days to 30.09.2025 to allow the Petitioners to participate and be considered eligible in the counselling round which is to be held on 21.10.2025; and /or

b) Direct the Respondents to consider the candidature of the Petitioners for admission to the Doctoral program if no extension of cut-off is deemed appropriate for the purpose of admission for the academic year 2025-2026.”

5. Case of the Petitioners as set out in the writ petition is that Petitioners are aspirants of Doctoral programs, having completed their Masters in Veterinary Sciences Course from ICAR-Indian Veterinary Research Institute, Izatnagar/Respondent No.2 in different disciplines. The institute runs under the aegis of Indian Council of Agricultural Research (‘ICAR’)/Respondent No.1.

6. It is averred that ICAR published a Brochure for admission process for Doctoral Programs through AICE-JRF/SRF (Ph.D.) Entrance Examination for the academic year 2025-26 and the original cut-off date for completion of pre-requisite Degree Program/Provisional Degree Certificate was 31.07.2025 and while fixing this cut-off date, ICAR had kept in mind the cut-off date of 15.01.2026 for M.V.Sc. admissions, thereby giving B.V.Sc students chance to complete their course by the end of this year. Students of Respondent No.2, who were in the final year of their Masters Degree were aggrieved by the cut-off date as their course would not have ended by 31.07.2025 and looking into this, Students’ Council of Respondent No.2 made a representation dated 09.05.2025 to ICAR requesting for extension of date to somewhere in December, 2025 to accommodate students in final year of M.V.Sc. degree.



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7. It is stated that Petitioners appeared for AICE-JRF/SRF (Ph.D.) Entrance Examination conducted by ICAR on 03.07.2025 and in the meantime, ICAR issued Public Notice dated 25.07.2025 extending the cut-off date for completion of pre-requisite Degree Program/Provisional Degree Certificate to 31.08.2025 for admission to Post-Graduate and Doctoral Programs. This extension was a one time special measure as a consequence of representations from various universities, colleges and students. Result of the entrance exam was declared on 12.08.2025 by National Testing Agency ('NTA') and Petitioners cleared the exam with excellent ranks, details of which are furnished in the petition. Another representation dated 18.08.2025 was made by Students' Council of Respondent No.2 seeking extension of cut-off date to December, 2025 for admission to Ph.D. course so as to accommodate students currently in final year of M.V.Sc. degree. By Public Notice dated 29.08.2025, cut-off date was extended to 15.09.2025 as a special measure. Petitioner No.4 completed her Master's course on 27.09.2025 while the remaining Petitioners completed on 30.09.2025 and provisional Degree Certificates were issued.

8. It is stated that ICAR released the online Counselling Schedule for admission to Ph.D. Programs in Agriculture and Allied Sciences for academic session 2025-26 and the first round of counselling was on 21.10.2025. Apprehending that Petitioners will miss out on being considered eligible by mere 15 days, present petition was filed seeking direction to ICAR to extend the cut-off date by 15 days by which time, all Petitioners will be eligible.

9. Learned counsel for the Petitioners argues that ICAR while extending the cut-off date to 15.09.2025 failed to take into look into the cases of the



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Petitioners and similarly placed candidates, who were in final year of their Masters Degree courses and by not extending the cut-off date beyond 15.09.2025, academic career and prospects of the Petitioners has been hampered. The cut-off date for admissions to M.V.Sc. Program has been extended to 15.01.2026, to allow B.V.Sc students in final year to complete their course and appear for counselling and there was no plausible reason why the same benefit cannot be extended to the Petitioners, who have already obtained their provisional Degree Certificates on 27.09.2025 and 30.09.2025 and cleared the entrance examination.

10. It is urged that Petitioners have cleared the entrance examination with excellent scores and ranks and have ranked first and second either overall or in their specific categories and have been deprived of admission to Ph.D. Programs in prestigious institutions on mere technicalities and for no fault attributable to them. Denying extension by mere 15 days in the cut-off date at par with similarly placed candidates in other courses is contrary to the past prevalent practice also, where conditional admissions were given to candidates while they were still completing their degree courses and if they cleared the examinations, admissions have been given.

11. Learned counsel for ICAR *per contra* opposes the writ petition on the ground that Petitioners have no fundamental or vested right to assert that the cut-off date be extended to suit their convenience. It is trite that prescription of cut-off dates is a policy decision and cannot be taken over by Courts in exercise of the power of judicial review. It is also submitted that whenever a cut-off date is fixed, there are many who may fall on the wrong side and become ineligible but that cannot be a ground to seek extension of cut-off date by any individual or claim that the date is arbitrary. Accepting this plea



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of the Petitioners would open a Pandora's Box as there may be many candidates who would not have applied at the relevant time being ineligible on the cut off date and Petitioners cannot be permitted to take a march over them only because they have approached the Court or have cleared the entrance examination. Reliance is placed on the judgment of the Supreme Court in *Shikhar and Another v. National Board of Examination and Others, (2024) 15 SCC 725*, wherein the Supreme Court held that it is the domain of the executive and regulatory authorities to formulate appropriate eligibility standards and prescription or extension of cut-off dates pertains to policy domain.

12. Heard learned counsels for the parties and examined their submissions.

13. Present writ petition relates to extension of cut-off date of 15.09.2025 in respect of examination for admission to Doctoral Programs conducted through AICE-JRF/SRF (Ph.D.) Entrance Examination for academic year 2025-2026. The original cut-off date for completion of pre-requisite Degree Program/Provisional Degree Certificate was 31.07.2025, which was subsequently extended to 31.08.2025 by Public Notice dated 25.07.2025 and thereafter to 15.09.2025 by Public Notice dated 29.08.2025. Petitioners appeared for the entrance exam on 03.07.2025 and result was declared on 12.08.2025. In the meantime. Petitioner No. 4 completed her Masters in Veterinary Sciences on 27.09.2025, while the remaining Petitioners completed on 30.09.2025 and provisional Degree Certificates were issued to them. Apprehending that Petitioners may not be given admission in the Ph.D. Programs for academic year 2025-2026, being ineligible on 15.09.2025, they filed the present petition and sought interim relief to



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participate in the upcoming counselling. On 18.10.2025, Court heard the parties at length on interim relief and by a detailed order declined permission to participate in the counselling.

14. The only question that arises for consideration before this Court is whether a direction can be issued to ICAR to extend the cut-off date upto 30.09.2025, by which date Petitioners completed their Degree Program/Provisional Degree Certificate. Law with respect to judicial interference in cut-off dates prescribed for examinations and selection processes is no longer *res integra*. In ***Hirandra Kumar v. High Court of Judicature at Allahabad and Another, (2020) 17 SCC 401***, the Supreme Court held that power to fix a cut-off date or age limit is incidental to regulatory control which an authority exercises over the selection process. A certain degree of arbitrariness may appear on the face of any cut-off date which is prescribed, since candidates on the wrong side of the line may stand excluded as a consequence. That, however, is no reason to hold that the cut-off date prescribed is arbitrary. In order to declare that a cut-off is arbitrary and *ultra vires*, it must be of such a nature as to lead to the conclusion that it has been fixed without any rational basis whatsoever or is manifestly unreasonable so as to lead to a conclusion of violation of Article 14 of the Constitution of India.

15. In ***Shikhar (supra)***, Petitioners aspiring for NEET (PG), 2022 challenged the deadline set for completion of internship for appearing in the said examination and the grievance ventilated was that extension of cut-off date from 31.05.2022 to 31.07.2022 would leave out students from certain States, who were unable to complete their internships by the prescribed date. Observing that the Court did understand that the cut-off date prescribed for



completion of internship would put certain students at a disadvantage, the Supreme Court held that it was conscious that it was the domain of the executive and regulatory authorities to formulate appropriate eligibility standards for admissions. Reference was made to the judgment of the Supreme Court in ***Indian Institute of Technology and Others v. Soutrik Sarangi and Others, (2021) 17 SCC 79***, where the Supreme Court held that Courts should be circumspect in exercising powers of judicial review in matters concerning academic policies, including admission criteria. Declining to interfere in the prescribed cut-off date, the Supreme Court held as follows:-

“9. It was urged that the High Court erred in law in equating IIT seats with non-IIT seats without appreciating that the statutory rules were not under challenge. Furthermore, the impugned criteria operates for the forthcoming year as well and not confined to 2021. As a consequence, a large number of candidates had already fixed their position by following the rules. Interfering with the process would irrevocably prejudice such candidates who had accepted its mandate. It was argued that Soutrik, the respondent misled the High Court by suppressing material facts that he had never opted for computer science, contrary to his averments in the JEE (Mains) Examination 2020 and furthermore by deceit and withholding information that he had been admitted to a course in IIT, Kharagpur and proceeding to accept the seat in IIT, Bombay (in BS Mathematics) based on his performance in the International Olympiad.

10. Mr S.K. Bhattacharya, learned counsel for the respondent, Soutrik argued at the outset that the appeal should not be maintained for the reason that IIT has directly approached this Court without availing itself of the normal remedy of an appeal before the LPA Bench. It was emphasised that if the matter were to be proceeded with, the respondent Soutrik would be placed at a disadvantage because he would have in the event of a decision by this Court, no recourse to further appeal. Mr Bhattacharya underlined that even otherwise, this Court has, as a matter of practice, desisted from entertaining the appeals from the learned Single Judge's decisions, if appeals are available in the form of letters patents or writ appeals in the High Courts concerned.

11. Mr S.K. Bhattacharya, learned counsel urged that Criterion 5 is plainly discriminatory because it differentiates between candidates who are successful in securing admission to IITs and those who secured admission to non-IIT institutions. Highlighting that both categories of



candidates appear in the same examination, it was emphasised that the so-called sub-categorisation is irrational. Echoing the reasoning of the High Court, Mr Bhattacharya urged that IIT's grounds for framing such a discriminatory policy are faulty because whether it is IIT or a non-IIT technical institution the consequence of a candidate opting out of a particular course and seeking admission in a different institution would lead to the same consequence i.e. loss of one seat. In the circumstances, it cannot be said that there is a distinction between the two kinds of institutions.

12. It was submitted that Soutrik opted for the seat in IIT, Kharagpur but could not pull out of the admission process before expiry of the last date for doing so due to inadvertence. In these circumstances, he ought to be given the choice of appearing in the current JEE (Advanced) examination since his career is at stake and he has an equal right to better his opportunity as candidate who succeeds in securing admission in non-IIT institutions but do not opt to continue.

13. At the outset, this Court holds as insubstantial the objection on behalf of the respondent Soutrik that IIT should have approached the Division Bench in Letter Patent jurisdiction of the Calcutta High Court. The ordinary rule of necessity that litigants should approach and avail of appellate remedies exhausting them before approaching this Court is a rule of convenience and not an immutable practice. It has been held to be so by this Court (Ref. State of U.P. v. Harish Chandra [State of U.P. v. Harish Chandra, (1996) 9 SCC 309 : 1996 SCC (L&S) 1240]). Moreover, the discretion under Article 136 of the Constitution is flexible and sufficiently wide, to correct glaring errors and injustices. Furthermore, this Court had issued notice on 9-9-2021 [IIT, Kharagpur v. Soutrik Sarangi, 2021 SCC OnLine SC 964] and granted an interim order suspending the directions [Soutrik Sarangi v. IIT, Kharagpur, 2021 SCC OnLine Cal 2772] of the High Court. On the two subsequent dates of hearing i.e. 17-9-2021 and 24-9-2021, there was no objection on the part of the respondent with respect to the maintainability of the present petition. Having regard to all these facts, the objection is hereby overruled.

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15. IITs are constituted under the Institutes of Technology Act, 1961 (hereafter "the Act") and are declared to be technical institutions of education, declared by Parliament, to be of national importance (under Entry 64) of the Union List (List I) of the Seventh Schedule to the Constitution of India ["64. Institutions for scientific or technical education financed by the Government of India wholly or in part and declared by Parliament by law to be institutions of national importance."] , set up to foster excellence in education. The appellant contends that IITs have created a world class academic platform dynamically sustained



through quality teaching and internationally acclaimed research with excellent infrastructure and the best minds available. Admission to IITs is governed by the JEE (Advanced) Information Brochure which sets out the detailed rules of eligibility. That an examination is conducted exclusively by IITs and the National Testing Agency (“NTA”) has no role in this. The NTA’s role is confined only to the JEE (Mains). The top 2.5 lakhs successful candidates in the JEE (Mains) examination category wise — are allowed to appear in the JEE (Advanced) examination provided they fulfil other eligibility criteria. The admissions standards for IITs are prescribed by virtue of exercise of power under Section 33(2)(b) of the Act. The planning of the JEE (Advanced) and the admissions process to various IITs is conceived and supervised by the Joint Administrative Board consisting of Directors of IITs, Members of the Joint Implementation Committee, representatives of the Union Government, CBSE, etc.”

16. In **Hirandra Kumar (supra)**, the Supreme Court held as follows:-

“21. The legal principles which govern the determination of a cut-off date are well settled. The power to fix a cut-off date or age-limit is incidental to the regulatory control which an authority exercises over the selection process. A certain degree of arbitrariness may appear on the face of any cut-off or age-limit which is prescribed, since a candidate on the wrong side of the line may stand excluded as a consequence. That, however, is no reason to hold that the cut-off which is prescribed, is arbitrary. In order to declare that a cut-off is arbitrary and ultra vires, it must be of such a nature as to lead to the conclusion that it has been fixed without any rational basis whatsoever or is manifestly unreasonable so as to lead to a conclusion of a violation of Article 14 of the Constitution.

22. Several decisions of this Court have dealt with the issue. In Ami Lal Bhat v. State of Rajasthan [Ami Lal Bhat v. State of Rajasthan, (1997) 6 SCC 614 : 1997 SCC (L&S) 1576] , a two-Judge Bench of this Court dealt with the provisions contained in the Rajasthan Medical Services (Collegiate Branch) Rules, 1962. Rule 11(1) prescribed that a candidate for direct recruitment should not have attained the age of 35 years on the first day of January following the last date fixed for the receipt of applications. Rejecting the contention that the cut-off was arbitrary, this Court held that the fixation of a cut-off prescribing maximum or minimum age requirements for a post is in the discretion of the rule-making authority. The Court held thus : (SCC p. 617, para 5)

“5. ... In the first place the fixing of a cut-off date for determining the maximum or minimum age prescribed for a post is not, per se, arbitrary. Basically, the fixing of a cut-off date for determining the maximum or minimum age required for a post, is in the discretion of the rule-making authority or the employer as the case may be. One must accept that such a cut-off date cannot be fixed with any mathematical precision and in such a manner as would avoid



hardship in all conceivable cases. As soon as a cut-off date is fixed there will be some persons who fall on the right side of the cut-off date and some persons who will fall on the wrong side of the cut-off date. That cannot make the cut-off date, per se, arbitrary unless the cut-off date is so wide off the mark as to make it wholly unreasonable."

The same view has been adopted in other decisions, including those in (i) State of Bihar v. Ramjee Prasad [State of Bihar v. Ramjee Prasad, (1990) 3 SCC 368 : 1991 SCC (L&S) 51] ("Ramjee Prasad"); (ii) Union of India v. Sudhir Kumar Jaiswal [Union of India v. Sudhir Kumar Jaiswal, (1994) 4 SCC 212 : 1994 SCC (L&S) 925] ("Sudhir Kumar Jaiswal"); (iii) Union of India v. Shivbachan Rai [Union of India v. Shivbachan Rai, (2001) 9 SCC 356 : 2002 SCC (L&S) 197] ("Shivbachan Rai"); and (iv) Council of Scientific & Industrial Research v. Ramesh Chandra Agrawal [Council of Scientific & Industrial Research v. Ramesh Chandra Agrawal, (2009) 3 SCC 35 : (2009) 1 SCC (L&S) 547] ("Ramesh Chandra Agrawal").

23. In Ramjee Prasad [State of Bihar v. Ramjee Prasad, (1990) 3 SCC 368 : 1991 SCC (L&S) 51] , the State issued advertisements for the post of Assistant Professors and prescribed 31-1-1988 as the last date for the receipt of applications. Applicants must have had three years of experience. Contending that applicants could not meet the prescribed requirement of experience by the date prescribed, the cut-off date was challenged as being arbitrary and ultra vires Article 14 of the Constitution. A two-Judge Bench of this Court upheld the cut-off date and held thus : (SCC pp. 373-74, para 8)

"8. ... It is obvious that in fixing the last date as 31-1-1988 the State Government had only followed the past practice and if the High Court's attention had been invited to this fact it would perhaps have refused to interfere since its interference is based on the erroneous belief that the past practice was to fix June 30 of the relevant year as the last date for receipt of applications. Except for leaning on a past practice the High Court has not assigned any reasons for its choice of the date. As pointed out by this Court the choice of date cannot be dubbed as arbitrary even if no particular reason is forthcoming for the same unless it is shown to be capricious or whimsical or wide off the reasonable mark. The choice of the date for advertising the posts had to depend on several factors, e.g. the number of vacancies in different disciplines, the need to fill up the posts, the availability of candidates, etc. It is not the case of anyone that experienced candidates were not available in sufficient numbers on the cut-off date. Merely because the respondents and some others would qualify for appointment if the last date for receipt of applications is shifted from 31-1-1988 to 30-6-1988 is no reason for dubbing the earlier date as arbitrary or irrational."

(emphasis supplied)



24. In *Sudhir Kumar Jaiswal [Union of India v. Sudhir Kumar Jaiswal, (1994) 4 SCC 212 : 1994 SCC (L&S) 925]*, the date with reference to which the age eligibility of a person desirous of sitting in the competitive examination for recruitment to the Indian Administrative Service/Indian Foreign Service was fixed as 1 August of every year. The preliminary exam would normally be held annually before 1 August. Rejecting the contention that the cut-off date is arbitrary and hence ultra vires, a two-Judge Bench of this Court held thus : (SCC pp. 214-16, paras 5-8)

“5. As to when choice of a cut-off date can be interfered with was opined by Holmes, J. in *Louisville Gas & Electric Co. v. Coleman [Louisville Gas & Electric Co. v. Coleman, 1928 SCC OnLine US SC 92 : 72 L Ed 770 : 277 US 32 (1928)]* by stating that if the fixation be “very wide of any reasonable mark”, the same can be regarded arbitrary. What was observed by Holmes, J. was cited with approval by a Bench of this Court in *Union of India v. Parameswaran Match Works [Union of India v. Parameswaran Match Works, (1975) 1 SCC 305]* (in para 10) by also stating that choice of a date cannot always be dubbed as arbitrary even if no particular reason is forthcoming for the choice unless it is shown to be capricious or whimsical in the circumstances. It was further pointed out where a point or line has to be, there is no mathematical or logical way of fixing it precisely, and so, the decision of the legislature or its delegate must be accepted unless it can be said that it is very wide of any reasonable mark.

6. The aforesaid decision was cited with approval in *D.G. Gose & Co. (Agents) (P) Ltd. v. State of Kerala [D.G. Gose & Co. (Agents) (P) Ltd. v. State of Kerala, (1980) 2 SCC 410]* ; so also in *State of Bihar v. Ramjee Prasad [State of Bihar v. Ramjee Prasad, (1990) 3 SCC 368 : 1991 SCC (L&S) 51]* ...

7. In this context, it would also be useful to state that when a court is called upon to decide such a matter, mere errors are not subject to correction in exercise of power of judicial review; it is only its palpable arbitrary exercise which can be declared to be void...

8. ... As to why the cut-off date has not been changed despite the decision to hold preliminary examination, has been explained in Para 3 of the special leave petition. The sum and substance of the explanation is that preliminary examination is only a screening test and marks obtained in this examination do not count for determining the order of merit, for which purpose the marks obtained in the main examination, which is still being held after 1st August, alone are material. In view of this, it cannot be held that continuation of treating 1st August as the cut-off date, despite the Union Public Service Commission having introduced the method of preliminary examination which is held before 1st August, can be said to be “very



wide off any reasonable mark” or so capricious or whimsical as to permit judicial interference.”

25. *In Shivbachan Rai [Union of India v. Shivbachan Rai, (2001) 9 SCC 356 : 2002 SCC (L&S) 197] , the Union Public Service Commission advertised for direct recruitment to the post of Assistant Director in the Central Poultry Breeding Farms and prescribed an age-limit of 35 years as on 31-5-1990 with a relaxation of five years for government servants. The earlier notification did not provide a limitation on the age relaxation. The five-year stipulation was challenged as being arbitrary and ultra vires. A two-Judge Bench upheld the notification and held thus : (SCC p. 358, para 6)*

“6. ... Prescribing of any age-limit for a given post, as also deciding the extent to which any relaxation can be given if an age-limit is prescribed, are essentially matters of policy. It is, therefore, open to the Government while framing rules under the proviso to Article 309 of the Constitution to prescribe such age-limits or to prescribe the extent to which any relaxation can be given. Prescription of such limit or the extent of relaxation to be given, cannot be termed as arbitrary or unreasonable. The only basis on which the respondent moved the Central Administrative Tribunal was the earlier Rules of 1976 under which, though an age-limit was prescribed, a limit had not been placed on the extent of relaxation which could be granted. If at all any charge of arbitrariness can be levied in such cases, not prescribing any basis for granting relaxation when no limit is placed on the extent of relaxation, might lead to arbitrariness in the exercise of power of relaxation.”

(emphasis supplied)

26. *In Ramesh Chandra Agrawal [Council of Scientific & Industrial Research v. Ramesh Chandra Agrawal, (2009) 3 SCC 35 : (2009) 1 SCC (L&S) 547] , the Council of Scientific and Industrial Research framed a scheme for the absorption of researchers working in their laboratories and institutes following the directions of this Court. It was prescribed that eligible applicants must have 15 years of continuous research on 2-5-1997. The Director was conferred powers to relax the requirement. Contending that the tenure of researchers is ordinarily 13 years, the prescription of 15 years was challenged as being ultra vires and arbitrary. This contention was accepted by the High Court. On appeal, a two-Judge Bench of this Court examined the scheme and applicable avenues to researchers. Noting that there was no ceiling of 13 years on researchers, this Court upheld the prescription of 15 years and the cut-off date. The Court held thus : (SCC p. 52, paras 29-30)*

“29. “State” is entitled to fix a cut-off date. Such a decision can be struck down only when it is arbitrary. Its invalidation may also depend upon the question as to whether it has a rational nexus with



the object sought to be achieved. 2-5-1997 was the date fixed as the cut-off date in terms of the Scheme. The reason assigned therefor was that this was the date when this Court directed the appellants to consider framing of a regularisation scheme. They could have picked up any other date. They could have even picked up the date of the judgment passed by the Central Administrative Tribunal. As rightly contended by Mr Patwalia, by choosing 2-5-1997 as the cut-off date, no illegality was committed. Ex facie, it cannot be said to be arbitrary.

30. The High Court, however, proceeded on the basis that the cut-off date should have been the date of issuance of the notification. The employer in this behalf has a choice. Its discretion can be held to be arbitrary but then the High Court only with a view to show sympathy to some of the candidates could not have fixed another date, only because according to it, another date was more suitable. In law it was not necessary. The court's power of judicial review in this behalf although exists but is limited in the sense that the impugned action can be struck down only when it is found to be arbitrary. It is possible that by reason of such a cut-off date an employee misses his chance very narrowly. Such hazards would be there in all the services. Only because it causes hardship to a few persons or a section of the employees may not by itself be a good ground for directing fixation of another cut-off date."

(emphasis supplied)

27. These judgments provide a clear answer to the challenge. The petitioners and the appellant desire that this Court should rollback the date with reference to which attainment of the upper age-limit of 48 years should be considered. Such an exercise is impermissible. In order to indicate the fallacy in the submission, it is significant to note that Rule 12 prescribes a minimum age of 35 years and an upper age-limit of 45 years (48 years for reserved candidates belonging to the Scheduled Castes and Tribes). Under the Rule, the age-limit is prescribed with reference to the first day of January of the year following the year in which the notice inviting applications is published. If the relevant date were to be rolled back, as desired by the petitioners, to an anterior point in time, it is true that some candidates who have crossed the upper age-limit under Rule 12 may become eligible. But, interestingly that would affect candidates who on the anterior date may not have attained the minimum age of 35 years but would attain that age under the present Rule. We are adverting to this aspect only to emphasise that the validity of the Rule cannot be made to depend on cases of individual hardship which inevitably arise in applying a principle of general application. Essentially, the determination of cut-off dates lies in the realm of policy. A court in the exercise of the power of judicial review does not take over that function for itself. Plainly, it is for the rule-making authority to discharge that function while framing the Rules.



28. We do not find any merit in the grievance of discrimination. For the purpose of determining whether a member of the Bar has fulfilled the requirement of seven years' practice, the cut-off date is the last date for the submission of the applications. For the fulfilment of the age criterion, the cut-off date which is prescribed is the first day of January following the year in which a notice inviting applications is being published. Both the above cut-off dates are with reference to distinct requirements. The seven year practice requirement is referable to the provisions of Article 233(2) of the Constitution. The prescription of an age-limit of 45 years, or as the case may be, of 48 years for reserved category candidates, is in pursuance of the discretion vested in the appointing authority to prescribe an age criterion for recruitment to the HJS."

17. From the conspectus of the aforesaid judgments, it is palpably clear that fixing of cut-off dates is neither the domain nor the remit of the Court exercising power of judicial review unless the threshold laid down by the Supreme Court is met i.e., fixation of the cut-off date is without any rational basis or manifestly unreasonable. Counsel for ICAR is right in his submission that whenever a cut-off date is prescribed for any examination or a selection process, some aspirants will fall on the wrong side of the line, but this by itself is not enough to hold that the cut-off date is arbitrary. Petitioners herein call upon the Court to extend the cut-off date by 15 days predicated on the fact that they have completed the pre-requisite courses by 27.09.2025 and 30.09.2025, as the case may be. Petitioners are unable to point out that fixation of cut-off date of 15.09.2025 is in any manner arbitrary and merely because this date does not suit the Petitioners, the same cannot be interfered with. Cut-off dates cannot be tailormade to suit the requirements of every aspirant in any selection/examination process. It is no doubt true that the cut-off date prescribed by ICAR has put the Petitioners to a disadvantage, more particularly, as they have appeared in the examination and scored well, however, it cannot be overlooked that fixation of this cut-off date was the domain of ICAR as a part of its regulatory function to



formulate the eligibility criteria and fixation of cut-off dates to determine eligibilities of aspiring candidates. There is also merit in the contention of ICAR that there may have been several candidates who may not have applied for the examination owing to the prescribed cut-off date and Petitioners cannot be permitted to take a march over them only because they have approached the Court and/or appeared in the entrance examination.

18. No cogent material is placed on record by the Petitioners which leads to a conclusion that the prescribed cut-off date is so unreasonable, capricious or whimsical that it requires interference by the Court. Courts have repeatedly held and I quote “*The law, however, cannot soothe every wound*”. Petitioners are unable to make out a case that they have a vested and enforceable right to claim that the cut-off date be extended. Moreover, Petitioners were clearly and admittedly not eligible for admission to Ph.D. Programmes for the academic year 2025-2026 and knowing this, they had taken the entrance exam and cannot claim special equities owing to the fact that they have taken the entrance examination and obtained high scores and ranks. Eligibility criteria and cut-off date have been applied uniformly and across the board and cannot be relaxed for the Petitioners as that would amount to discrimination and will be iniquitous to those who had either not applied or had not taken the examination finding themselves ineligible on the cut-off date. No *mandamus* can, therefore, be issued to ICAR to act contrary to the laid down criteria and/or the prescribed cut-off date.

19. Accordingly, there is no merit in the writ petition and the same is dismissed along with pending application.

JYOTI SINGH, J

NOVEMBER 14, 2025

S.Sharma