



2025:DHC:10206-DB



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

Date of decision: 19.11.2025

+ **W.P.(C) 17536/2025
NIRANJAN KUMAR AND ORS**

.....Petitioners

Through: Mr.Shrikant Prasad, Mr.Nitish
Kumar, Mr.Aryan Kumar &
Mr.Paul Kr. Kalai, Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr.Apoorv Kurup, Sr. Adv. &
Mr.Amit Tiwari, CGSC with
Ms.Ayushi Srivastava, GP,
Ms.Nidhi Mittal, Mr.Aayush
Tanwar, Mr.Arpan Narwal &
Mr.Kushagra Malik, Advs.
along with Mr.Rajeev Singh,
PEDE(N) Railway Board.

**CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE MADHU JAIN**

NAVIN CHAWLA, J. (ORAL)

CM APPL. 72497/2025 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 17536/2025 & CM APPL. 72496/2025

2. This petition has been filed by the petitioners, challenging the Order dated 12.11.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the, 'Tribunal') in O.A. No. 296/2025, titled *Niranjan Kumar & Ors. v.*



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Union of India & Ors., dismissing the O.A. filed by the petitioners herein.

3. The petitioners, by the above O.A., had challenged the advertisement dated 22.01.2025 issued by the respondents for the Level-1 posts in the Indian Railways, prescribing the minimum educational qualification for the same as “*10th Pass or ITI or equivalent National Apprenticeship Certificate (NAC) granted by NCVT*”.

4. The petitioners claim that the educational qualification for the said post had been changed after the recruitment process had commenced by an advertisement dated 28.12.2024 issued by the respondents.

5. The learned Tribunal rejected the said submission by observing as under:-

“Also the rules of the game were not changed mid way as we have observed that the clock started to tick not on 28th December 2024 (Date of indicative notice) but on 22nd January, 2025 (Date of Publication). We have observed that UPSC, Railways etc follow the practice of advance notice to alert the applicants but this in no way signifies that advertisement for recruitment had been issued on the date of indicative notice. For all practical purposes, the date of issue of the recruitment advertisement would be counted as on 22.01.2025 (the date shown as the date of publication). The minimum educational qualification for Grade I posts was changed from Xth pass + ITI or NCA equivalent to Xth pass or ITI or NCA equivalent on 02.01.2025 (before the issue of the advertisement). We are therefore of the considered opinion that the balance of convenience in this case lies with



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the respondents. The instant OA is devoid of merit; deserves to be dismissed and is accordingly dismissed.”

6. The learned counsel for the petitioners, reiterating the above submission, has drawn our attention to the advertisement dated 28.12.2024 issued by the respondents, whereby the respondents advertised various posts in Level-1 of the 7th CPC Pay Matrix and claimed to have annexed the post-wise educational qualifications and medical standards in Annexure A.

7. The learned counsel for the petitioners, on being asked, however, now admits that Annexure A to this advertisement was never published and, in fact, came to be published only when a detailed advertisement was issued by the respondents on 22.01.2025, which, in Annexure A attached thereto, prescribed the educational qualifications as mentioned hereinabove.

8. In view of the same, we find no infirmity in the observation of the learned Tribunal as the selection process in fact commenced from the advertisement dated 22.01.2025 and not from the advertisement dated 28.12.2024.

9. The learned Tribunal, in its Impugned Order, has also observed that the issue of amending the educational qualification had been considered at various levels by the respondents. In any case, it is for the respondents, as an employer, to prescribe the educational qualification, and unless it is contrary to the Recruitment Rules or is otherwise arbitrary, the same cannot be interfered with. We do not find any such case being made out by the petitioners in the present



case.

10. The learned counsel for the petitioners, however, draws our attention to the advertisement dated 25.01.2025, issued by the East Coast Railway, wherein, for Level-1 posts in the Civil Engineering, Mechanical, Electrical, Signal and Telecom Department, and Catering Wing of Railways, the qualification prescribed is “10th pass plus National Apprenticeship Certificate (NAC) granted by NCVT or 1^{0th} Pass plus ITP”. He submits that for the same post, different educational qualifications cannot be prescribed by the respondents.

11. The learned senior counsel for the respondents, who appears on advance notice, on instructions, submits that this anomaly has been noticed by the respondents and a corrigendum to the advertisement is being issued to bring in it conformity with the decision of the respondents to change the educational qualification. The advertisement dated 25.01.2025, therefore, also does not come to the aid of the petitioners.

12. The learned counsel for the petitioners next submits that the petitioners had earlier filed a Writ Petition, being W.P.(C) 2771/2025, titled *Niranjan Kumar & Ors. vs. Union of India & Ors.*, challenging the Order passed by the learned Tribunal which declined the grant of *interim* relief to the petitioner. A Co-ordinate Bench of this Court, by its Order dated 05.03.2025, noted that the petition raises an issue as to whether the educational qualification can be changed once the recruitment process had started.

13. We fail to appreciate how this Order can help the petitioners in the present Writ Petition. The observation made by the Co-ordinate



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Bench of this Court in its Order dated 05.03.2025, was made while issuing notice on the Writ Petition filed earlier by the petitioners, which petition, in fact, came to be disposed of by an Order dated 28.07.2025 passed by this Court.

14. Any observations made in the *interim* Order passed by this Court in W.P.(C) 2771/2025, therefore, cannot have a binding effect on a finally adjudicated O.A. as also the present Writ Petition. Post the Order dated 05.03.2025 passed in W.P.(C) No. 2771/2025, the learned Tribunal has considered the O.A. on merits, including on the above submission of the petitioners. We have already agreed with the observations of the learned Tribunal in its Impugned Order in this regard and have found no merit in the submissions of learned counsel for the petitioners.

15. We, therefore, find no merit in the present petition. The same along with the pending application is accordingly dismissed.

NAVIN CHAWLA, J

MADHU JAIN, J

NOVEMBER 19, 2025/rv/ik