



2025:DHC:1904-DB



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

Date of decision: 24.03.2025

+ LPA 62/2025

SANTOSH KUMAR

.....Appellant

Through: Mr. M.S.Khan, Adv.

versus

UNIVERSITY OF DELHI & ORS.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 4954/2025 (Exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 4955/2025 & CM APPL. 4956/2025

2. Thess applications have been filed by the appellant seeking condonation of delay of around 112 days in filing and a further delay of 125 days in re-filing the present appeal against the Judgment dated 15.03.2024, passed by the learned Single Judge of this Court in WP(C) 1253/2018 titled ***Dr. Huma Baqa & Ors. v. University of Delhi & Ors..***

3. For the reasons stated in the applications, the delay of 112 days in filing and 125 days in re-filing the appeal is condoned.

4. The applications stand disposed of.

Signature Not Verified

Signed By: VIJAYA
LAKSHMI BHAL
Signing Date: 28.03.2025 LPA 62/2025
15:17:02

**LPA 62/2025**

5. This appeal has been filed by the appellant challenging the Judgment dated 15.03.2024 passed by the learned Single Judge of this Court in WP(C) 1253/2018 titled ***Dr. Huma Baqa & Ors. v. University of Delhi & Ors.***, dismissing the said writ petition filed by, *inter alia*, the appellant herein.

6. The appellant had filed the above petition claiming therein that he had been appointed as an Assistant Professor, on *ad hoc* basis, with the Faculty of Law, University of Delhi on 21.07.2009. By an advertisement dated 27.01.2017, the respondent invited applications for appointment to the post of Assistant Professor. The appellant duly applied for the same, and a final Select List was prepared by the selection committee on 28.09.2017, however, the result thereof was neither kept in a sealed cover nor was declared till 27.01.2018, thereby, giving rise to the allegations of *mala fide* on the part of the respondents.

7. The appellant further submitted before the learned Single Judge and also before us, that the appellant having worked as an Assistant Professor with the University of Delhi, though on *ad hoc* basis, from 2009, had a legitimate expectation for being confirmed/regularised to the said post.

8. The above submission of the appellant has been rejected by the learned Single Judge placing reliance on the Judgments of the Supreme Court in ***State of Karnataka & Ors. v. Umadevi & Ors.***, (2006) 4 SCC 753, and ***Union of India & Ors. v. Ilmo Devi & Anr.***, (2021) 20 SCC 290.



9. The learned Single Judge has further noted that the appellant having participated in the selection process is now estopped from challenging the same. We are also informed that, in fact, the appellant had also applied and participated in the subsequent selection process, however, unfortunately remained unsuccessful.

10. On the issue of mala fide, the learned Single Judge perused the record produced by the respondents herein, and found that the sealed list of recommended candidates was put forth before the Executive Council meeting held on 30th December, 2018 and the same was notified in the public domain thereafter. Apart from contending that there was a delay in the announcement of results, the appellant has not been able to show any variation in the results that may substantiate his allegations of *mala fide* or even cast a doubt on the selection process.

11. In view of the above, we find no merit in the present appeal. The same is accordingly dismissed. Needless to mention that the appellant shall be entitled to apply for any subsequent selection process in accordance with the rules and regulations of the same, and this order will not act as a bar for consideration of his candidature in accordance with law.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MARCH 24, 2025

p/VS

Click here to check corrigendum, if any