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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4864/2016

KEDAR NATH

.....Petitioner

Through: Ms. Ria Yadav, Advocate.

versus

SWAMI SHRADDHANAND COLLEGE & ORSRespondents

Through: Mr. Santosh Kumar, Mr. Adithya Raman and Mr. Kartik Gupta, Advocates for R-2.

Mr. Ravinder Agarwal, Mr. Manish Kumar Singh and Mr. Vasu Agarwal, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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03.04.2025

1. The petitioner has filed this writ petition under Article 226 of the Constitution seeking following reliefs.

“a) Call for the records pertaining to the recruitment process initiated by the Respondent No.1 for the post of Senior Technical Assistant, Computer lab on ad-hoc basis in the year 2013;

b) Issue a writ of certiorari and / or issue a writ in the nature of certiorari and / or any other appropriate writ and / or Order and / or direction quashing the recruitment process initiated by the Respondent No. 1 for the post of Lab Technician on ad-hoc basis, which has been completed by appointing the Respondent No.4, without issuing any advertisement for the post;

c) Quash the appointment of Respondent No.4 to the post of Lab Technician made by the Respondent no.1 thereby making appointment of non-teaching staff on ad-hoc basis, being contrary to the Notification dated 19.10.2012; and/or



d) Issue a writ of Mandamus and / or issue a writ in the nature of Mandamus and / or any other appropriate writ and / or Order and / or direction to the Respondent no.1 to implement the notification dated 19.10.2012 issued by the respondent no.2 and thereby make appointment of non-teaching staff on contractual basis in accordance with the roster rules;

e) Issue a writ in the nature of Mandamus or any other appropriate writ, order or direction thereby directing the respondent no.1 to publish advertisement for filling up vacancies of non-teaching staff on contractual basis in accordance with the notification dated 19.10.2012 issued by respondent no.2 which provides that the same be published in the website and notice board of the respondent no.2 university.

f) Issue a writ of certiorari and / or issue a writ in the nature of certiorari and / or any other appropriate writ and / or Order and / or direction quashing the appointment of candidates on ad-hoc basis despite they having granted the age exemption once as provided under the notification dated 16.03.2015 which only grants age exemption to existing employees only once;

g) Issue any other appropriate Writ or Order or Direction as deemed fit and proper in the facts and circumstances of the case, in the interest of justice and equity.”

2. A preliminary objection is taken that the petitioner has no *locus standi* to file the present writ petition, as he was not a candidate for recruitment to the post of Senior Technical Assistant, Computer Lab, or Lab Technician.

3. In the writ petition, it is stated that the petitioner is an employee of respondent No. 1/Swami Shraddhanand College [“College”], in the post of Librarian. To the specific query of the Court, learned counsel for the petitioner submits that the post of Librarian is a higher post than that of the Senior Technical Assistant, Computer Lab, or Lab Technician, for which the impugned recruitments were made in the year 2013. The



petitioner was, thus, not a candidate for either of these posts.

4. Learned counsel contends that the appointments to these posts have been made on an *ad-hoc* basis, without advertisement, and the petitioner was, therefore, unaware of the recruitments.

5. There is no averment in the writ petition that the petitioner was desirous of applying for the post in question. Indeed, in view of the fact that he was already working in the College on a post higher than those for which the recruitments were made, such a submission is not credible. The locus of the petitioner is not established on any other basis.

6. The writ petition is, therefore, dismissed. As the dismissal is only on this ground, this order will not prejudice the rights and contentions of any party, withstanding to object on the same grounds, in the event of any future recruitment by the College.

PRATEEK JALAN, J

APRIL 3, 2025

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