



2026:DHC:276-DB



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Judgment reserved on: 08.01.2026

Judgment pronounced on: 13.01.2026

Judgment uploaded on: 13.01.2026

+ W.P.(C) 171/2026 & CM APPL. 847/2026, CM APPL. 848/2026, CM APPL. 849/2026, CM APPL. 850/2026, CM APPL. 851/2026

ABHIMANYU SINGH AND ANRPetitioners

Through: Mr. Shrey Kapoor, Mr. Nishit Agrawal, Ms. Kanishka Mittal, Ms. Deepti Rathi, Advocates.

versus

UNION OF INDIA AND ORS.Respondents

Through: Ms. Monika Arora, CGSC with Mr. Debasish Mishra, GP.

+ W.P.(C) NO. 174/2026, CM APPL. 853/2026, CM APPL. 854/2026, CM APPL. 855/2026 & CM APPL. 856/2026

UPAMA JAINPetitioner

Through: Mr. Shrey Kapoor, Mr. Nishit Agrawal, Ms. Kanishka Mittal, Ms. Deepti Rathi, Advocates.

versus

UNION OF INDIA AND ORS.Respondents

Through: Mr. Shashank Dixit, CGSC with Mr. Kunal Raj, Advocate for UOI.

+ W.P.(C) NO. 236/2026, CM APPL. 1105/2026, CM APPL. 1106/2026, CM APPL. 1107/2026 & CM APPL. 1108/2026

LAVANYA S PPetitioner

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Through: Mr. Shrey Kapoor, Mr. Nishit Agrawal, Ms. Kanishka Mittal, Ms. Deepti Rathi, Advocates.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Dr. Monika Arora (CGSC), Mr. Subhrodeep Saha, Mr. Prabhat Kumar, Ms. Anamika Thaku, Mr. Abhinav Verma, Advocates and Mr. Debasish Mishra (G.P)

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

J U D G M E N T

ANIL KSHETARPAL, J.

1. The present Writ Petitions, preferred by the Petitioners, assail the correctness of common judgment and final order dated 12.12.2025 [hereinafter referred to as 'Impugned Order'] passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi [hereinafter referred to as the 'Tribunal'], whereby Original Applications bearing O.A. No. 664/2024, O.A. No. 1754/2024, and other connected matters were dismissed.

2. Since the present Writ Petitions arise out of a similar set of facts, involve identical questions of law, and assail the aforesaid common Impugned Order, they are being heard together and are disposed of by this common judgment. The Petitioners are probationers of the Indian Forest Service ['IFS'], having been selected through the Indian Forest Service Examination, 2022, and having

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joined probationary training at the Indira Gandhi National Forest Academy [‘IGNFA’] on 15.11.2023.

3. The issue which arises for consideration in these Writ Petitions essentially relates to the applicability of the Indian Forest Service (Probation) Amendment Rules, 2023, notified on 23.11.2023, insofar as the said amendment re-introduced a prohibition on probationers from appearing in the Civil Services Examination or any other open competitive examination during the period of training.

FACTUAL MATRIX

4. In order to appreciate the controversy involved, the relevant facts in brief are required to be noticed.

5. The Indian Forest Service (Probation) Rules, 1968 were framed in exercise of powers under Section 3(1) of the All India Services Act, 1951. Rule 8 thereof, as originally enacted and as amended in 1994, contained a proviso prohibiting IFS probationers from appearing in the Civil Services Examination or any other open competitive examination during the period of training at IGNFA. By virtue of the Indian Forest Service (Probation) Amendment Rules, 2017, the said prohibitory proviso to Rule 8(1) was omitted. While the 2017 Amendment remained in force, the statutory prohibition on IFS probationers appearing in the Civil Services Examination or other open competitive examinations during training stood omitted.

6. The Petitioners appeared in the IFS Examination, 2022, were successful, and were appointed as probationers in the IFS. They joined



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training at IGNFA on 15.11.2023.

7. On 23.11.2023, the Department of Personnel and Training [‘DoPT’] notified the Indian Forest Service (Probation) Amendment Rules, 2023, whereby the proviso to Rule 8(1), prohibiting probationers from appearing in the Civil Services Examination or any other open competitive examination during training, was re-introduced.

8. Upon issuance of the said notification, the Petitioners made representations seeking permission to appear in the Civil Services Examination during their probation, or alternatively, seeking non-application of the 2023 Amendment to them, or grant of Extraordinary Leave. These requests were declined by the competent authority.

9. It is not in dispute that, contemporaneously, an option was made available to probationers, including the Petitioners, to seek deferment or exemption from training if they desired to appear in the Civil Services Examination. The Petitioners, however, did not opt for deferment of training and continued with the probationary course at IGNFA.

10. Aggrieved thereby, the Petitioners approached the Tribunal, which, by the Impugned Order dated 12.12.2025, dismissed the Original Applications. The Tribunal held that the 2023 Amendment did not take away any vested right and upheld the restriction imposed during training.

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CONTENTIONS ON BEHALF OF THE PARTIES

11. CONTENTIONS ON BEHALF OF THE PETITIONERS

11.1 Learned counsel for the Petitioners contended that the Indian Forest Service (Probation) Amendment Rules, 2023, notified on 23.11.2023, could not be applied to the Petitioners, who had joined training at IGNFA on 15.11.2023, prior to the said amendment. It was submitted that the 2023 Amendment re-introduced a prohibition on appearing in the Civil Services Examination or any other open competitive examination during the period of probation, but did not expressly provide for retrospective operation.

11.2 It was further submitted that the Petitioners, having been selected through the Indian Forest Service Examination, 2022, and having joined probationary training at IGNFA, had a legitimate expectation, based on the rules in force at the time of joining and the joining instructions provided, to appear in the UPSC Civil Services Examination while undergoing probation. Learned counsel contended that any attempt to apply the 2023 Amendment retrospectively would be arbitrary, unreasonable, and violative of Article 14 of the Constitution of India.

11.3 The Petitioners also emphasized their merit, noting that they had successfully qualified the IFS Examination and, in addition, had cleared preliminary and main stages of the UPSC Civil Services Examination. It was submitted that their selection was the result of long-term dedicated preparation and sustained academic effort, and that denying them the opportunity to appear in subsequent



examinations during probation would unfairly curtail their legitimate career prospects.

11.4 Learned counsel further submitted that there was no allegation of insincerity, misconduct, or negligence against the Petitioners. On the contrary, the Petitioners had undergone uninterrupted training at IGNFA, completed all prescribed requirements, and earned awards and commendations, thereby demonstrating exceptional conduct. Learned counsel argued that the restriction imposed by the 2023 Amendment amounted to a punitive measure without fault, contrary to principles of fairness and proportionality.

11.5 Reliance was placed on the decisions of the Supreme Court in *N.T. Devin Katti v. Karnataka Public Service Commission*¹ and *M. Surender Reddy v. State of A.P.*², wherein it was held that in the absence of express provision or necessary implication to the contrary, statutory rules operate prospectively and not retrospectively. It was submitted that, accordingly, the 2023 Amendment could not affect the Petitioners' rights under the Rules in force at the time of their appointment.

12. CONTENTIONS ON BEHALF OF THE RESPONDENTS

12.1 *Per contra*, learned counsel for the Respondents, who appeared on advance notice, contended that the Indian Forest Service (Probation) Amendment Rules, 2023, were enacted to ensure proper discipline, uninterrupted training, and efficient utilization of

¹ (1990) 3 SCC 157

² (2015) 8 SCC 410



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government resources at IGNFA. It was submitted that the 2023 Amendment did not prohibit probationers from appearing in the UPSC Civil Services Examination entirely, but only restricted participation during the period of probationary training.

12.2 It was submitted that the Ministry had, at the time of issuing the offer of appointment, provided an option to probationers, including the Petitioners, to seek deferment or exemption from training if they wished to appear in the UPSC examination. Several candidates had availed themselves of this option.

12.3 Learned counsel further contended that the Petitioners voluntarily chose to join training without opting for the extension or exemption, thereby electing to continue training while seeking to appear in the UPSC examination, contrary to the Rules in force. It was emphasized that the 2023 Amendment was applied prospectively and in accordance with law and therefore, the Petitioners' claims were without merit, as the amendment merely sought to ensure proper conduct of probation, maintain discipline, and safeguard the training process

12.4 Reliance was placed on the decision of the Constitution Bench of the Supreme Court in *Syed Yakoob v. K.S. Radhakrishnan and Others*³ to contend that where a statutory authority or Tribunal records a finding of fact based on material before it, such finding cannot be interfered with by a writ court merely because it may appear that some material evidence was overlooked, unless it is shown that the finding

³ (1963) SCC OnLine SC 24



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is based on no evidence at all. It was submitted that the said decision establishes that the High Courts' jurisdiction under Article 226 of the Constitution is supervisory in nature and cannot convert the writ court into an appellate authority to re-examine factual determinations of competent authorities. Learned counsel contended that, on the same principle, the 2023 Amendment, as applied to the Petitioners, is within the competence of the Ministry and does not impinge upon any vested right; the Petitioners' challenge to the prospective application of the Rules is therefore without merit.

ISSUES FOR DETERMINATION

13. The principal issues that arise for consideration are:

- i. Whether IFS probationers can claim a right to be governed, for all purposes, by the rules prevailing on the date of their appointment, notwithstanding subsequent amendments made during the period of service or probation;
- ii. Whether the Indian Forest Service (Probation) Amendment Rules, 2023, notified on 23.11.2023, are inapplicable to the Petitioners on the ground that they joined training prior to the said notification; and
- iii. Whether the denial of permission to appear in the Civil Services Examination or any other open competitive examination during the probationary period suffers from arbitrariness or illegality warranting interference under Article 226 of the Constitution of India.

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ANALYSIS & FINDINGS

14. This Court has carefully considered the submissions advanced on behalf of the parties and perused the material on record. At the outset, it becomes necessary to examine the scope and applicability of the Indian Forest Service (Probation) Amendment Rules, 2023, in relation to the Petitioners, who joined the probationary training at IGNFA on 15.11.2023.

15. The foundational premise on which the Petitioners' challenge rests is that the conditions governing their probation and training must, for all purposes, remain frozen as they stood on the date of their appointment. Such a proposition, however, cannot be accepted as an absolute rule. Service jurisprudence recognises that conditions of service, including those regulating probation and training, are governed by the statutory rules as they stand from time to time, subject to constitutional limitations. A probationer does not acquire an immutable or vested right to insist that the regulatory framework prevailing on the date of entry into service must continue unchanged throughout the period of probation or thereafter.

16. The legal position regarding the applicability of amended service rules also stands clarified by the decision of the Supreme Court in *State of Himachal Pradesh v. Raj Kumar*⁴, wherein the earlier understanding flowing from *Y.V. Rangaiah v. J. Sreenivasa Rao*⁵ that vacancies arising prior to amendment of the rules must necessarily be governed by the unamended rules, was revisited and

⁴ (2022) SCC OnLine SC 680

⁵ (1983) 3 SCC 284



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explained. After an exhaustive review of the precedents, the Supreme Court authoritatively held that there is no rule of universal application that vacancies must invariably be filled in accordance with the rules existing on the date of their occurrence, and that a government servant does not acquire a vested or immutable right except a right to be considered in accordance with the rules in force when the process of consideration is undertaken. It was further reiterated that service conditions are liable to change in public interest, subject to the requirements of fairness under Article 14 of the Constitution, and that unless a vested or accrued right has crystallised, the rule-making authority is competent to amend the applicable rules, which would govern the field from the date of their enforcement. The decision thus reinforces the settled principle that service conditions, including those relating to probation and training, do not stand frozen on the date of appointment and may validly be regulated by statutory rules as amended from time to time.

17. In the present case, the statutory framework governing probation in the Indian Forest Service itself demonstrates that the prohibition on appearing in open competitive examinations during training is not alien or newly introduced. Rule 8 of the Indian Forest Service (Probation) Rules, 1968, as originally enacted and as it stood for decades thereafter, expressly contained a proviso barring probationers from appearing in the Civil Services Examination or any other open competitive examination during the period of training at the IGNFA. The omission of the said proviso by the 2017 Amendment therefore, did not create a permanent or vested entitlement in favour of

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probationers to participate in such examinations during training, but remained subject to alteration by a subsequent amendment in exercise of statutory rule-making power.

18. The Indian Forest Service (Probation) Amendment Rules, 2023, notified on 23.11.2023, re-introduced the very prohibition which formed part of the statutory regime governing IFS probation for a substantial period of time. The Amendment neither alters the structure of Rule 8 nor introduces a new condition previously unknown to the service. It restores the original position that probationary training at IGNFA is required to be pursued without simultaneous engagement in open competitive examinations. Viewed thus, the 2023 Amendment operates on the probationary conditions as they exist during training and does not, in law, amount to a retrospective deprivation of any accrued or vested right. This conclusion follows not merely from the historical existence of such a prohibition, but from the settled principle that conditions governing probation and training are liable to change during service, subject to statutory authority.

19. The mere fact that the Petitioners joined probationary training on 15.11.2023, i.e., a few days prior to the notification of the 2023 Amendment, does not confer upon them a legal right to insist that the regulatory conditions governing training must remain static for the entire duration of probation. Probation, by its very nature, is a transitional phase of service, regulated continuously by the rules in force. So long as the amended rules operate prospectively and regulate conduct during an ongoing period of training, their application cannot be characterised as retrospective merely because the probationer



entered service earlier.

20. The doctrine of legitimate expectation, as invoked on behalf of the Petitioners, is equally inapplicable in the present case. A legitimate expectation can arise only when it is founded upon a consistent past practice or an express representation, and even then, it cannot operate to defeat a statutory rule validly framed in exercise of legislative power. During the currency of the 2017 Amendment, probationers may have been permitted to appear in competitive examinations; however, such permissibility was always subject to the governing statutory framework as it stood from time to time. Once the competent authority, in exercise of its rule-making power, restored the earlier prohibition by notifying the 2023 Amendment, no enforceable expectation could survive contrary to the amended rule. Legitimate expectation, in any event, cannot crystallise into a vested right to insist upon the continued application of a repealed or amended statutory provision.

21. It is also well-settled that a probationer does not possess an indefeasible right to insist upon the continuance of service conditions as they existed on the date of appointment, particularly insofar as such conditions relate to training, discipline, and regulatory control during probation. Probation, by its very nature, is a period of assessment, conditioning, and institutional training, during which the employer retains a wide latitude to prescribe, modify, or regulate the terms governing conduct and engagement, so long as such regulation is traceable to statutory authority and is not arbitrary or discriminatory. The conditions governing probationary training at IGNFA are



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intended not merely to regulate service, but to ensure focused, uninterrupted training and optimal utilisation of public resources, and must therefore be viewed as dynamic rather than immutable.

22. Tested on the aforesaid principles, this Court is unable to accept the contention that the Indian Forest Service (Probation) Amendment Rules, 2023 operate retrospectively merely because they came into force after the Petitioners had joined probationary training. A statutory rule operates retrospectively only when it is expressly so provided, or when it seeks to alter or take away vested or accrued rights. The 2023 Amendment does neither. It does not undo any completed event, disturb any concluded selection, or impair the Petitioners' appointment to the Indian Forest Service. The Amendment merely regulates the manner in which probationary training is to be undergone from the date of its enforcement onwards. Its application to probationers who were already undergoing training on the date of its notification, therefore, constitutes prospective operation upon a continuing and ongoing relationship, and not retrospective interference with vested rights.

23. It is also material to note that the Petitioners were not placed in a situation of compulsion or impossibility upon the notification of the 2023 Amendment. The record clearly reflects, and indeed it is not in dispute, that an option was made available to all probationers, including the Petitioners, to seek deferment or exemption from training in the event they intended to appear in the Civil Services Examination. Several probationers availed of this option. The Petitioners, however, consciously elected to continue with the



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probationary training at IGNFA without seeking deferment, notwithstanding full knowledge of the amended Rule position.

24. It also merits notice that the Petitioners sought to apply for participation in the Civil Services Examination, 2024 only after the Indian Forest Service (Probation) Amendment Rules, 2023 had already come into force. As recorded in the proceedings before the Tribunal, the last date for submission of applications for the Civil Services (Preliminary) Examination, 2024 was 05.03.2024, and the interim order dated 01.03.2024 was passed precisely on the Petitioners' apprehension that submission of the application form during the subsistence of the amended Rule may attract adverse consequences. Thus, on the date when the Petitioners sought to apply and participate in the Civil Services Examination, the amended proviso to Rule 8(1) was fully operative and governed the field. The Petitioners, therefore, cannot assert that their application for the Civil Services Examination stood insulated from the operation of the 2023 Amendment or was referable to a legal regime which had ceased to exist.

25. Such an election carries legal consequences. Having chosen to remain within the framework of probationary training governed by the amended Rules, the Petitioners cannot thereafter be permitted to contend that the very Rules under which they continued to undergo training ought not to bind them. The principle that one cannot approbate and reprobate applies with full force. A probationer who voluntarily subjects himself or herself to the discipline of training under the prevailing statutory regime cannot selectively disown those

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provisions which are perceived to operate to his or her disadvantage.

26. The submission that the denial of permission to appear in the Civil Services Examination operates harshly or unfairly upon the Petitioners also does not commend acceptance. The restriction imposed by the 2023 Amendment is neither permanent nor punitive in nature. It is confined strictly to the period of probationary training and is uniformly applicable to all probationers governed by the Rules. The object sought to be achieved, namely, ensuring uninterrupted training, institutional discipline, and optimal utilization of public resources, cannot be said to be extraneous or arbitrary. In matters relating to service discipline and training, the employer is entitled to prescribe reasonable conditions, and the Court would be slow to interfere unless such conditions are shown to be manifestly arbitrary or violative of constitutional guarantees.

27. Equally, the Petitioners' reliance upon their individual merit, academic achievements, or commendable performance during training, howsoever laudable, cannot furnish a legal basis to carve out an exception in their favour. Service jurisprudence recognises that individual excellence cannot override uniform statutory rules applicable to a class. To hold otherwise would be to introduce an element of subjectivity and uncertainty into the administration of probation, which is antithetical to the very purpose of a structured training regime.

28. The scope of interference by this Court under Article 226 of the Constitution, particularly in matters arising out of service conditions

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and training regulations, is well settled. The writ jurisdiction is supervisory and not appellate in nature. Where a competent authority or a Tribunal has applied the relevant statutory rules and recorded findings on the basis of material placed before it, the High Court does not sit in appeal over such findings to re-appreciate evidence or to substitute its own view merely because another view may be possible.

29. In *Syed Yakoob* (supra), the Constitution Bench of the Supreme Court authoritatively held that a writ of certiorari can be issued only where there is an error of jurisdiction, an error apparent on the face of the record, or where a finding is based on no evidence at all. It was further clarified that mere errors of fact, or the possibility that some material may not have been accorded due weight, do not furnish a ground for interference under Article 226 of the Constitution. This principle squarely governs the present case.

30. Tested on the aforesaid touchstone, the Impugned Order does not suffer from any jurisdictional infirmity or manifest illegality. The Tribunal has taken note of the statutory framework governing IFS probationers, the re-introduction of the prohibitory proviso by the 2023 Amendment, and the undisputed fact that the Petitioners continued their training after the Amendment came into force, despite being afforded the option of deferment or exemption. The conclusion arrived at by the Tribunal that no vested right of the Petitioners stood infringed is a plausible and legally sustainable view flowing from the record.

31. The contention that the 2023 Amendment operates



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retrospectively, merely because the Petitioners had joined training a few days prior to its notification, has also been rightly repelled. The Amendment applies to the period of probation and training as it exists after 23.11.2023. It does not reopen or unsettle any concluded event, nor does it impose any disqualification with retrospective effect. What is regulated is the conduct of probationers during training after the Amendment came into force, which is plainly prospective in operation.

32. Once it is held that no vested or accrued right of the Petitioners stood crystallised to appear in the Civil Services Examination during probation, the edifice of the challenge under Article 14 of the Constitution necessarily collapses. The restriction imposed by the amended Rule applies uniformly to all probationers undergoing training and is founded on an intelligible differentia having a rational nexus with the object sought to be achieved. No element of hostile discrimination or arbitrariness is made out.

33. Accordingly, the issues framed for determination are answered as under:

- i. IFS probationers cannot claim a right to be governed, for all purposes, by the Rules prevailing on the date of their appointment, irrespective of subsequent amendments validly made during the period of probation;
- ii. The Indian Forest Service (Probation) Amendment Rules, 2023 are applicable to the Petitioners notwithstanding the fact that they joined training prior to 23.11.2023, since the Amendment governs the



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period of training thereafter; and

iii. The denial of permission to appear in the Civil Services Examination during probationary training does not suffer from arbitrariness or illegality so as to warrant interference under Article 226 of the Constitution of India.

CONCLUSION

34. For the foregoing reasons, this Court finds no infirmity in the Impugned Order passed by the Tribunal. The Writ Petitions are devoid of merit and are accordingly dismissed.

35. All pending applications also stand closed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

JANUARY 13, 2026

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