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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision : 21.01.2026

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W.P.(C) 496/2026 CM APPL. 2397/2026**KUMARI LOVELY**

.....Petitioner

Through: Ms. Pallavi Avasthi and Ms. Vaibhavi Mittal, Advocates.

versus

**UNION OF INDIA THROUGH SECRETARY
MINISTRY OF DEFENCE & ORS.**

.....Respondents

Through: Mr. Vikrant N Goyal, SPC, Mr Saurabh Kumar Nagar, GP Mr. Yash Basoya, Mr. Kunal Dixit, Advocates.

CORAM:**HON'BLE MR. JUSTICE V. KAMESWAR RAO****HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA****V. KAMESWAR RAO, J. (ORAL)**

1. The petitioner has filed this petition with the following prayers:-

(i) direct the Respondents to consider the petitioner against the vacancy arising due to non-joining of the previously selected candidate in the Ground Duty(Non-Technical) in the branch of Education, and permit the Petitioner to join the ongoing training, in the interest of justice;

(ii) issue any other Writ, Order or Direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

2. On the last date of hearing, i.e. 16.01.2026, the matter was adjourned for today, however due to typographical error, the next date of hearing was typed as 20.01.2026. The learned counsel for parties are before the Court.



3. Consequently, the order dated 16.01.2026, stands rectified to this extent only.
4. The grievance of the petitioner is that despite there being a vacancy on account of the candidates high in the merit list not joining the post of Ground Duty (Non-technical) in Education Branch of the Indian Air Force, the petitioner has not been appointed.
5. Suffice to state notification was issued by the respondents for making appointment against 9 vacancies (7 men and 2 women) to the post of Ground Duty (non-technical) in Education Branch. It is not disputed that the number of the vacancies under men category were increased to eight and under the women category, to three, which means, total eleven posts/vacancies were filled under both the categories.
6. The submission is that, against thirteen vacancies/posts, two candidates, having not joined, the petitioner need to be appointed against one vacancy/post.
7. On this submission of the learned counsel for the petitioner, Mr Vikrant N Goyal, SPC appearing for the respondents, has placed before us a chart wherein the names of the candidates, who have been appointed under the men and women category are given. The same is reproduced as under:-

S. No.	Merit Position	Roll No.	Title	Name	Medical Status	Reported AFA at for training
MEN						
1	119	2025001111060	MR	MANIKANT KUMAR	FIT	REPORTED
2	367	2025001109490	MR	CHIMIRALA SASHIDHAR	FIT	REPORTED
3	402	2025001112061	MR	ANIKET GHANGHAS	FIT	REPORTED



4	403	2025001115674	MR	JATIN SHARMA	FIT	NOT REPORTED
5	412	2025001114813	MR	AMIT RIKHARI	FIT	REPORTED
WOMEN						
1	25	2025001102314	MS	INITHA M	FIT	REPORTED
2	28	2025001107769	MS	SHRUTI SINGH	FIT	REPORTED
3	62	2025001102223	MS	ISHIKA BISHT	FIT	REPORTED
4	68	2025001104362	MS	MANISHA	FIT	REPORTED
5	74	2025001109554	MS	PRERNA PUNIA	FIT	REPORTED
6	77	2025001104607	MS	VIDUSHI GAUTAM	FIT	REPORTED
7	87	2025001114148	MS	ADITI GAUTAM	FIT	REPORTED
8	120	2025001100735	MS	JYOTI	UNFIT	CONSIDERED UNDER NCC AIR WING 'C' CATEGORY
MERIT POSITION MS KUMAR LOVELY						
1	89	2025001106119	MS	KUMARI LOVELY	FIT	NOT FIGURED IN MERIT LIST.

8. According to him, though 5 candidates were given the joining letters in the men category, only 4 of them have joined. Similarly, under the women category, only 7 candidates were issued the joining letter. He also states that, as far as the reference to Ms Jyoti is concerned, she was found unfit and as such was not given the joining letter. He submits that as the petitioner was placed at 89th position in the merit list and the last selectee in the women category being at merit list number 87, the petitioner could not have been given the joining letter/appointment, as there were no vacancies.

9. On a specific query to the learned counsel for the petitioner, as to whether the petitioner has set up the case in the petition that, in total 13 vacancies were notified, Ms. Awasthi's answer the query by drawing our attention to page no.18 of the petition, more particularly the following averments:-

"It is submitted that subsequently more than the desired candidates as per the advertisement in the Ground



Duty(Non-technical) in the branch of Education have been selected wherein total no. of Female selected candidates reached 8 and male candidates reached 5. The Selection List released by the AFCAT dated 10.12.2025 is attached and annexed herein as ANNEXURE A-5.”

10. The aforesaid averments do not answer the query put by us. There is no reference to 13 vacancies having been notified by the respondents.

11. If that be so, we by taking on record the submission made by Mr Goyal, on instructions, that only eleven vacancies were notified, which have been filled and no person, below the petitioner in the merit list has been appointed, dismiss the petition along with the pending application.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

JANUARY 21, 2026

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