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

+ LPA 146/2025

LAKSHYA ARYA

.....Appellant

Through: Mr. Manish Gupta, Ms. Riya, Mr. Yash Tewari and Mr. Pramod Chand Gupta, Advocates.

versus

COUNCIL OF SCIENTIFIC AND INDUSTRIAL
RESEARCH & ORS.

.....Respondents

Through: Mr. Udit Seth, Mr. Divyanshu, Ms. Akshita Gupta, Advocates for R2&3.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

30.01.2026

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1. This *intra-court* Appeal has been preferred seeking exception to order dated 31.01.2025 (“**Impugned Order**”) passed by the learned Single Judge in W.P. (C) 13467/2024 (“**Writ Petition**”), wherein the relief sought by the Appellant for setting aside the order dated 12.09.2024 passed by Centre for Development of Telematics (“**C-DOT**”) cancelling the offer of appointment made to the Appellant (“**Cancellation Order**”) was rejected.

2. The brief factual matrix leading to the filing of this Appeal is as under:

2.1 The Appellant completed the engineering by pursuing Bachelor of Technology (“**B. Tech**”) from the National Institute of Technology (“**NIT**”), Kurukshetra and joined Samsung SDS Pvt. Ltd. in 2021. The Appellant took admission in Indian Institute of Management (“**IIM**”), Udaipur after successfully clearing the Common Admission Test (“**CAT**”) for the batch of



2022-24 in order to pursue higher studies of Masters in Business Administration (“**MBA**”).

2.2 *Vide* invitation dated 11.01.2024, C-DOT invited applications from final year MBA students of IIM, Udaipur for recruitment for the post of Executive. The Appellant applied for the post of Executive offered by C-DOT by submitting all the required documents, i.e. marksheets of 10th and 12th standard and all the semesters of B. Tech and MBA. The documents submitted by the Appellant were subject to review by the Selection Committee of C-DOT and after due satisfaction regarding the eligibility, the Appellant was called for the interview. The Appellant was one of the three applicants shortlisted by C-DOT for the interview process, which was communicated *via* e-mail dated 22.02.2024 and all the three candidates were called for the interview on 22.02.2024.

2.3 After extensive and rigorous selection process, the Appellant was informed of his successful selection. Accordingly, the Appellant did not participate in any other subsequent campus recruitment drive organised by IIM, Udaipur as per the Campus Placement Rules.

2.4 The Appellant cleared all the exams in first and single attempt without any repeat / failure for MBA and, accordingly, the Campus Placement Committee of IIM, Udaipur informed C-DOT *vide* e-mail dated 08.04.2024 about the Appellant completing the eligibility criteria.

2.5 Upon conclusion of the selection process, C-DOT issued an offer letter dated 17.04.2024 to the Appellant formally extending the offer of employment to commence work from 01.08.2024. The offer letter mandated the Appellant to produce and submit all relevant documents as a part of onboarding process.



2.6 On 22.07.2024, C-DOT sought a clarification regarding the Appellant's backlog in 4th semester of his B. Tech. In reply, the Appellant reaffirmed that he had furnished all necessary documents as per the prescribed eligibility criteria. Thereafter, C-DOT sent e-mails dated 23.07.2024 and 24.07.2024 requesting the Appellant to furnish his 4th semester B. Tech marksheet for the session May / June, 2019. C-DOT also informed that as per Para (iv) of the offer letter, the offer was purely provisional in nature and was subject to fulfilment of relevant criteria. In response, the Appellant provided the requested documents.

2.7 C-DOT, *vide* e-mail dated 25.07.2024 informed the Appellant that his documents had been sent for verification to NIT, Kurukshetra and instructed the Appellant not to report on 01.08.2024. It was further informed that the decision regarding the candidature of the Appellant shall be intimated to him based on the verification of his documents.

2.8 *Vide* e-mail dated 25.07.2024, C-DOT sought verification of the marksheet of the Appellant from NIT, Kurukshetra and specifically enquired as to whether the Appellant had passed all examinations in one attempt or if there were any repeated examinations during his course of study. *Vide* e-mail dated 31.07.2024, NIT, Kurukshetra sent a letter dated 30.07.2024 confirming that the Appellant was a *bona fide* student of B. Tech from 2017 to 2021 and he had achieved overall CGPA 8.4231 out of 10.0000 with no backlog.

2.9 In response, C-DOT *vide* e-mail dated 12.08.2024 requested NIT, Kurukshetra to clarify whether the Appellant had cleared the exam of 4th semester in single attempt or he had failed in any exam. *Vide* e-mail dated 27.08.2024, NIT, Kurukshetra confirmed that the Appellant failed in the 4th



semester in his first attempt and had cleared the said examination in the second attempt.

2.10 Accordingly, *vide* Cancellation Order dated 12.09.2024, C-DOT informed the Appellant that upon verification of the documents and as per official confirmation from NIT, Kurukshetra it was observed that there was a backlog in the Appellant's B. Tech 4th semester, which was cleared in the 5th semester, i.e. in the 2nd attempt. Therefore, C-DOT cancelled the offer letter dated 17.04.2024.

2.11 Being aggrieved by the Cancellation Order, the Appellant preferred the Writ Petition before this Court. The learned Single Judge *vide* Impugned Order dismissed the Writ Petition affirming the Cancellation Order dated 12.09.2024 issued by C-DOT. Hence, the Appellant has preferred the present Appeal.

3. We have heard the learned Counsel for the Appellant and the learned Counsel for C-DOT and perused the documents on record.

4. The eligibility criteria for the post of Executive is prescribed in the invitation sent by C-DOT to IIM, Udaipur, which is reproduced as under:

"1. Eligibility:

MBA students passing out in 2024

- Aggregate of all semesters in MBA should be 70% or 7 CGPA (on 10 point scale) and above.*
- Graduation should be in B.E./B.Tech any stream.*
- Linear conversions will be done if any other scale is followed*
- The above is up to and inclusive of the 2nd Term (1st year).*
- However appointment will be subject to concurrence to the above marks after completion of final semester.*
- Every exam should be cleared in first & single attempt. There should not be any failure and repeat. (no backlog in any semester)*
- 70% or 7 CGPA in 10th and 12th. Both exam should have been cleared in first & single attempt.*



- *Candidate should be Indian National only.*
- *Training & induction cost of Rs. 1 lakh will be recovered if the candidate leaves during probation period of 1 year.”*

5. Along with the Application, the Appellant submitted a declaration on 14.05.2024, the relevant extract of which is reproduced as under:

“In consideration of the same, I hereby declare that I have fulfilled all criteria for appointment including that of age, percentage of marks, submission of Caste/Community certificate (if applicable), graduation (BTech) and post-graduation (MBA) and have no backlog in any semester or yearly exams (cleared the exam in first and single attempt) and other criteria’s, at the time of reporting for duty.”

6. As per the eligibility criteria for the post of Executive, it was required that every exam should be cleared in the first and single attempt and there should not be any failure and repeat, i.e. there should not be backlog in any semester. Further, the declaration provided by the Appellant to C-DOT confirms that the Appellant had fulfilled all criteria for the appointment including that he did not have backlog in any semester or yearly exams and cleared the exam in first and single attempt for his graduation (B. Tech) and post-graduation (MBA).

7. The prescribed eligibility criteria as well as the declaration made it clear that for being eligible for the appointment for the post of Executive at C-DOT, the Appellant was required to fulfil the mandatory requirement of clearing all the exams in first and single attempt without backlog in any semester. The offer of appointment made by C-DOT was provisional and subject to verification of the documents.

8. The Appellant has submitted that all the required documents were provided to C-DOT and there was no suppression on part of the Appellant. The Appellant relied upon a communication dated 30.07.2024 issued by



NIT, Kurukshetra, which mentioned that the Appellant achieved overall CGPA 8.4231 out of 10.0000 with no backlog. However, upon specific query from C-DOT to NIT, Kurukshetra *vide* e-mail dated 08.08.2024 to clarify whether the Appellant had cleared the exam of 4th semester in a single attempt or he had failed in any exam, NIT, Kurukshetra *vide* e-mail dated 27.08.2024 confirmed that the Appellant had failed in 4th semester in his first attempt and he had cleared the said examination in the second attempt. Accordingly, the reliance placed by the Appellant on letter dated 30.07.2024 stating that there was no backlog is misplaced.

9. The learned Counsel for C-DOT has submitted that the Appellant gave false declaration stating that he had no backlog in any semester or yearly exam, which disentitles the Appellant from any relief. Further, it was submitted on behalf of C-DOT that the appointment letter dated 17.04.2024 clearly provided that the offer of appointment was provisional and subject to fulfilment of eligibility criteria. Accordingly, the Appellant concealed the fact that he did not meet the eligibility criteria and, therefore, the cancellation of offer letter dated 17.04.2024 was justified.

10. The learned Counsel for the Appellant has relied upon the decision of the Supreme Court of India in ***Union of India v. Uzair Imran & Ors.*** 2023 SCC OnLine SC 1308, wherein it has been held that the rule that if two views are reasonably possible on a given set of facts, the courts would stay away from interference and would not substitute its view for the view taken by the employer, may not apply in case where the conflicting views could be resolved by mere reference to the certificate issuing authority to clarify what the certificate connoted. This decision is not helpful to the Appellant in the facts of the present case as no two views are possible, given the eligibility



criteria was unambiguous and, in any event, NIT, Kurukshetra has provided the clarification *vide* e-mail dated 27.08.2024 that “*The mentioned student failed in the 4th semester in his 1st attempt. He has cleared the said examination in the 2nd attempt.*” Therefore, the clarification was sought and provided by the authority issuing the certificate, as held in the decision of **Uzair Imran** (*supra*).

11. The learned Single Judge, as stated in the Impugned Order, determined that the eligibility criteria were explicit and unambiguous. The Appellant was informed from the outset that each examination had to be successfully completed on the first attempt, without any failure or repetition. Despite being aware of his non-compliance with these requirements, the Appellant proceeded with the Application. At no point did the Appellant seek clarification regarding the criteria, and he submitted a declaration that was inaccurate. The Single Judge found that the eligibility standards were clear and unequivocal. As the Appellant participated in the recruitment process while lacking the requisite academic qualifications, he could not assert a legitimate claim to the position for which he failed to meet the eligibility requirements.

12. We entirely concur with the conclusion of the learned Single Judge in the Impugned Order as the eligibility criteria for the post of Executive as prescribed by C-DOT was sufficiently clear and unambiguous. The Appellant clearly did not meet the eligibility criteria required for the position of the Executive at C-DOT.

13. The Appellant has neither contested the eligibility criteria nor provided any rationale for failing to meet them. Indeed, the Appellant participated in the process by affirming compliance with these requirements.



Consequently, any misunderstanding of the clearly stated eligibility criteria cannot be construed as benefiting the Appellant. Since the Appellant did not adhere to the prescribed standards, the Appellant was not entitled to seek relief in the Writ Petition before this Court.

14. In view of the above analysis, no interference is required in this Appeal. However, we clarify that the cancellation of the appointment, the Impugned Order, and the above observations shall not carry any stigma for any future employment as the Appellant's employment was not terminated by C-DOT, but only the offer of appointment was withdrawn due to non-fulfilment of the eligibility criteria prior to commencement of the employment.

15. The Appeal is disposed of with the above observations.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

JANUARY 30, 2026/sms