



\$~93

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 4950/2026 & CM APPLs. 24364-24366/2026**  
**MAHADEV SINGH SEN** .....Petitioner

Through:

versus

**INSTITUTE OF HUMAN BEHAVIOUR SCIENCE AND ALLIED  
SCIENCE AND ORS** .....Respondents

Through: Mr. Tushar Sannu, Standing Counsel  
with Mr. Ritik Anmol, Advocate and  
Mr. Sanjay Surya, AO consultant for  
R-1.

Mrs. Avnish Ahlawat, SC (GNCTD)  
with Mr. N.K. Singh, Ms. Aliza Alam  
and Mr. Mohnish Sehrawat,  
Advocates for R-2.

**CORAM:**  
**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**  
**15.04.2026**

%

1. The Petitioner, a psychiatrist and member of faculty, is presently serving as Assistant Professor (Psychiatry) under the Centre of Excellence [“CoE”] at the Institute of Human Behaviour and Allied Sciences [“IHBAS”]. The present petition arises from a limited but immediate grievance. During the course of his employment, the Government of NCT of Delhi, Department of Health and Family Welfare, issued an order dated 25<sup>th</sup> August, 2025 regarding implementation of the revised “*Assessment Promotion Scheme*” for faculty members of IHBAS. Pursuant thereto, IHBAS issued a circular dated 10<sup>th</sup> November, 2025 inviting applications



from eligible faculty members for grant of promotion under the said scheme. The Petitioner applied and was thereafter issued a communication dated 6<sup>th</sup> April, 2026 calling upon him to appear for interview for assessment promotion on 8<sup>th</sup> April, 2026 at 12:00 noon. However, on 7<sup>th</sup> April, 2026, he received an email informing him that the interview had been “*put on hold till further orders due to certain administrative reasons*”.

2. The Petitioner thereafter addressed communications to the Respondents but, not receiving any effective clarification or decision, has approached this Court. The Petitioner submits that, despite fulfilling the eligibility conditions for consideration under the scheme, no cogent reason has been disclosed for deferring his interview at the eleventh hour. Although he also makes allegations of arbitrariness and discriminatory treatment, his grievance presently pressed is narrower. He apprehends that if the interviews of other eligible faculty members, which are already conducted, are acted upon and the results declared without his participation, his claim to consideration, along with the seniority-related consequences flowing therefrom, may stand prejudicially affected.

3. In response, Mr. Tushar Sannu, Standing Counsel for IHBAS, on instructions, submits that the decision to defer the Petitioner’s interview was not arbitrary but arose from certain administrative exigencies. He explains that the Petitioner is presently working under the CoE programme at IHBAS, which is funded by the Government of India as well as the Government of NCT of Delhi. In this regard, he draws attention to the communication dated 24<sup>th</sup> March, 2026 issued by the Joint Secretary, Ministry of Health and Family Welfare, Government of India, which *inter alia* records that the Manpower Development Scheme under the National



Mental Health Programme, under which such Centres of Excellence had been established, was to conclude in its existing form on 31<sup>st</sup> March, 2026, and that, thereafter, the financial responsibility for such institutions would stand shifted to the respective State/UT Governments. For completeness, the relevant extract of the said communication is reproduced below:

*“D.O. No. V.15016/121/2019-PH-I*

*Dated: 24th March, 2026*

*Dear Sir/Madam,*

*I would like to draw your kind attention to the Tertiary Care Programme under the National Mental Health Programme (NMHP), being implemented as a component of a Centrally Sponsored Scheme (CSS). The Manpower Development Scheme (MDS), introduced during the 11th Five Year Plan (2009-12) and continued in subsequent plan periods, has significantly contributed to augmenting trained mental health manpower, strengthening tertiary care infrastructure, and advancing mental health research across States/UTs.*

*2. As conveyed earlier vide this Ministry's D.O. letter No. V.15016/33/2024-PH-I dated 29th April, 2024 and D.O. letter No. V.15016/121/2019-PH-I dated 20th November, 2025 (copy enclosed), the tenure of CSS components under the Tertiary Care Programme has been extended up to the financial year 2025-26, without any change in the approved scope.*

*3. The Manpower Development Scheme comprises the following two components:*

*(i) Manpower Development Scheme-A: Establishment of Centres of Excellence (CoEs) in Mental Health; and*

*(ii) Manpower Development Scheme-B: Strengthening of Postgraduate (PG) Departments in Medical Colleges/General Hospitals/State-run Mental Health Institutions.*

*A list of institutions covered under these components is enclosed for ready reference.*

***4. The Scheme, having been operational for over 15 years, is scheduled to conclude in its current form on 31st March, 2026. Upon its closure, Government of India support under MDS will cease. Consequently, all residual liabilities, including those relating to incomplete infrastructure works, salaries, and other recurring operational expenditures, will need to be fully borne by the respective State/UT Governments.***

*5. It may be recalled that, as per the approval of the Manpower Development component under NMHP during the 11th Five Year Plan and*



*the Minutes of the EFC meeting held on 19.12.2013 (copy enclosed), establishment of such Centres/Departments was contingent upon the commitment of the State/UT Governments to assume full financial responsibility upon cessation of Central assistance.*

6. **In view of the above, I would request you to kindly initiate necessary action at your end to ensure smooth transition, including: (a) provision of adequate budgetary support for sustaining these institutions; and (b) integration of all recurring and committed expenditures within the State/UT budget w.e.f. 01.04.2026.**

7. *Ensuring continuity of these institutions is critical for maintaining the gains achieved under NMHP and for avoiding any disruption in delivery of mental healthcare services. I shall be grateful for your personal intervention in this matter.*

*Warm regards.*

*Yours sincerely,*

*Sd/-*

*(Vijay Nehra)"*

[Emphasis Supplied]

4. Mr. Sannu submits that it is in the backdrop of the aforesaid communication that the Petitioner's interview was deferred, and that IHBAS is actively pursuing the matter with the concerned authorities so that the position may be clarified before any further step is taken. He clarifies, on instructions, that this does not imply that the Petitioner's services are proposed to be discontinued or that his candidature for consideration under the scheme stands rejected or cancelled. According to him, the deferment is only temporary and arises from the uncertainty created by the transition in funding responsibility.

5. On the Petitioner's apprehension regarding seniority, Mr. Sannu further places reliance on the order dated 25<sup>th</sup> August, 2025 implementing the revised Assessment Promotion Scheme. He points out that the scheme itself provides that it shall operate on a notional basis from the date of an employee's eligibility for promotion, while actual financial benefits would



accrue from the date of approval by the competent authority. On that basis, he submits, on instructions, that the Petitioner's seniority and consequential benefits would not be adversely affected merely because his interview has, for the present, been deferred. The relevant extract reads as under:

**"ORDER"**

***Subject: Implementation of revised "Assessment Promotion Scheme" for faculty Members of Institute of Human Behaviour and Allied Sciences (IHBAS), Delhi-110095***

*In continuation of the decision taken by the Executive Council, General Body of IHBAS and as approved by the Hon'ble Lt. Governor, GNCTD vide file bearing CD No. 112557305, approval is hereby conveyed for the implementation of the revised "Assessment Promotion Scheme" for faculty Members of Institute of Human Behaviour and Allied Sciences (IHBAS), Delhi-110095.*

*The implementation of the revised Assessment Promotion Scheme (APS) is in accordance with the "PROMOTION SCHEME" detailed in Annexure-III (A) of the Gazette of India (Extraordinary, Part II Section 1), vide Notification No. 45 dated 14.09.2012 titled "The National Institute of Mental Health and Neuro-Sciences, Bangalore ACT, 2012" (No. 38 of 2012). (Copy enclosed)*

***The implementation of the revised Assessment Promotion Scheme (APS) for faculty Members of Institute of Human Behaviour and Allied Sciences (IHBAS), Delhi-110095, on a notional basis, from the date of the employee's eligibility for promotion, with actual financial benefits will be granted from the date the acceptance of the proposal by Competent Authority i.e. Hon'ble Lt. Governor, GNCTD i.e 28/07/2025.***

*The revised Assessment Promotion Scheme (APS) for faculty Members of Institute of Human Behaviour and Allied Sciences (IHBAS) be implemented with modified assessment criteria as per Annexure-16.2 approved by General Body of IHBAS vide the Agenda Item No. 16 of Minutes of 19<sup>th</sup> Annual Governing Body Meeting of IHBAS held on 22.02.2019, for all Faculty Members eligible for APS for the period from 2011 to 2019, 85 one time measure.*

*This issues with the prior approval of Competent Authority."*

[Emphasis Supplied]

6. The Court has considered the aforesaid submissions. At this stage, the Court does not consider it necessary to enter upon the larger factual assertions made in the petition. The immediate issue is narrower: once the



Petitioner had been found fit to be called for interview under the scheme, his interview could not have been deferred indefinitely without any clear indication as to when the process would be resumed. Administrative uncertainty may justify a temporary pause. It cannot justify a state of open-ended suspension, particularly where the process concerning other faculty members is stated to have moved forward. The Petitioner's apprehension, therefore, cannot be brushed aside as illusory.

7. At the same time, this Court also does not find it appropriate, on the present material, to interdict the declaration of results of interviews of other faculty members. That would bring the entire process to a halt. More important, Mr. Sannu has made a categorical statement, on instructions, that the Petitioner's seniority and consequential benefits shall not be adversely affected by reason of the deferment of his interview. IHBAS shall remain bound by that statement.

8. In the opinion of the Court, the interests of justice would be adequately served by ensuring that the administrative uncertainty presently cited by IHBAS is addressed within a definite time frame and that the Petitioner's case is not allowed to remain in abeyance any longer than is strictly necessary.

9. The Petitioner cannot claim, at this stage, a direction to stall the entire promotion process for others. He is, however, entitled to a timely decision and to consideration of his candidature in a manner that does not prejudice his position under the scheme.

10. Accordingly, the concerned Government authorities shall furnish the clarification sought by IHBAS within a period of three weeks from today. Upon such clarification being received, the interview of the Petitioner shall



be conducted and the process concerning his candidature shall be concluded within a further period of six weeks from today.

11. It is clarified that the Petitioner shall be entitled to be considered for promotion in accordance with the Assessment Promotion Scheme, subject to the decision of the competent Selection Committee. It is further clarified that the deferment of his interview shall not, by itself, operate to his prejudice in matters of seniority or other consequential benefits, in view of the statement made on behalf of IHBAS and recorded herein.

12. The petition is disposed of in the above terms. Pending applications, if any, shall also stand disposed of.

**SANJEEV NARULA, J**

**APRIL 15, 2026/hc**