



\$~81

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

+ **W.P.(C) 5421/2026**

AMAN GAHLOT

.....Petitioner

Through: Mr. B.C Nagar, Mr. A.K. Shukla,
Advocates.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Ms. Vidhi Gupta, SPC with Mr.
Keshav Pawar, GP and Mr. Shairy
Chaudhary, Mr. Abhay Verma, Ms.
Neha Balyan, Advocates.
Mr. Vasanth Rajasekaran, Senior
Standing Counsel with Mr. Karan
Prakash, Mr. Harshvardhan Korada,
Mr. Om Bali, Ms. Deepshikha
Kumar, Advocates for JNU.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

22.04.2026

%

1. The present writ petition impugns letter dated 28th June, 2024 issued by the Respondent University, whereby Advertisement No. 1/RC(NT)/2023 has been withdrawn, specifically for recruitment to the post of Multi-Tasking Staff,¹ Group C, Pay Level-1. The Petitioner also seeks a direction to Respondent Nos. 2 and 3 to recruit him for the aforesaid post.

2. The Respondents had issued a special recruitment drive through the aforesaid advertisement in March, 2023 for various non-technical posts,

¹ "MTS"



including 79 vacancies for the post of MTS. The Petitioner applied for the said post and participated in the selection process. He appeared in the written examination, qualified the same, and was thereafter called for document verification by communication dated 5th September, 2023. However, the process of document verification was placed on hold by notification dated 5th February, 2024. The said position was reiterated in a subsequent notification dated 6th May, 2024, to the following effect:

**“जवाहरलाल नेहरू विश्वविद्यालय
JAWAHARLAL NEHRU UNIVERSITY
नई दिल्ली/NEW DELHI-110 067
ADMINISTRATION”**

F.No. II/JNU./Rect./NT/2024/

Dated: 06 May 2024

NOTIFICATION

This is with reference to this office Notification No. dated 05/02/2024 whereby all the concerned had been informed that the recruitment process to fill the vacant posts of Multi-Tasking Staff (MTS) was withheld due to administrative reasons.

It is to further inform to all the concerned that the University has been receiving queries from various quarters regarding status of the recruitment process of the Multi Tasking Staff. The University is already actively looking into the matter and further communication in this regard shall be notified at the JNU website only.

This has the approval of the Competent Authority.

*Deputy Registrar
Administration”*

3. Subsequently, by the impugned notification dated 28th June, 2024, the Respondent University withdrew the recruitment process for the post of MTS with immediate effect, citing administrative reasons in terms of the general conditions of the advertisement.

4. Aggrieved, the Petitioner has approached this Court contending that the withdrawal of the recruitment process is arbitrary and unsustainable in law. It is urged that the impugned action is bereft of any cogent reasons. It is



further contended that while the Respondents concluded the selection process for other categories of posts under the same recruitment drive, the process in respect of the MTS category alone has been withdrawn without any rational basis. Reliance is placed on the judgment of the Patna High Court in *Rajnikant Ojha v. Union of India*² to submit that the impugned action fails to satisfy the test of reasonableness and proportionality, and is thus liable to be set aside.

5. The Court has considered the aforesaid submissions and examined the material placed on record. At the outset, it must be noted that the recruitment notice initially placed on record by the Petitioner was incomplete, inasmuch as it did not include the eligibility criteria and the general terms and conditions forming part of the advertisement. A complete copy of the advertisement has been furnished by counsel for Respondent Nos. 2 and 3 and is taken on record. A perusal thereof shows that Section C of the advertisement deals with the general terms and conditions. Clause 21 specifically stipulates that “*The University reserves the right to withdraw an advertisement, either partly or wholly, at any time without assigning any reason.*” This stipulation makes it clear that the Respondent University was vested with the authority to withdraw the recruitment process.

6. Furthermore, it is also material to note that the Petitioner had not been selected for the post in question; he had merely qualified the written examination and was called for the stage of document verification. It is well settled that mere participation in a selection process, or even inclusion in a select list, does not confer an indefeasible right to appointment, and it is for the government to decide whether to fill all the vacancies or not for a valid

² 2014 SCC OnLine Pat 4152.



reason.³

7. In this backdrop, the submission of the Respondents that the recruitment process could be withdrawn for administrative reasons, cannot be discarded as illegal. The existence of an express clause enabling withdrawal fortifies the position of the Respondents.

8. The reliance placed by the Petitioner on ***Rajnikant Ojha*** is misconceived and the said decision is clearly distinguishable on facts. There, the Patna High Court was dealing with a situation where the candidates had not only participated in the selection process, but were found to be within the zone of selection in a merit list, and would have been appointed had the result been published. In the present case, however, the factual matrix is materially different. The Petitioner had merely participated in the selection process and was shortlisted for the next stage; no final merit list was prepared or published. Equally, unlike in ***Rajnikant Ojha***, there is no foundational breach of any assurance or representation extended by the Respondents, such as a promise of a fresh recruitment process or preferential consideration to existing candidates. The element of accrued or crystallised rights, which weighed with the Court in the said judgment, is conspicuously absent in the present case. In these circumstances, the ratio of ***Rajnikant Ojha*** does not advance the case of the Petitioner and is inapplicable to the facts at hand.

9. Additionally, it is pertinent to note that the impugned notification was issued on 28th June, 2024, whereas the present petition has been instituted after a lapse of nearly two years. Such unexplained delay and laches also weigh against the Petitioner in seeking discretionary relief under Article 226

³ Kulwinder Pal Singh and Anr. v. State of Punjab, (2016) 6 SCC 532; Manoj Manu and Another v. Union



of the Constitution of India. In the absence of any satisfactory explanation for the delay, this Court is not inclined to exercise its writ jurisdiction to interfere with the impugned action, particularly when no vested or accrued right in favour of the Petitioner has been demonstrated.

10. For the foregoing reasons, the present petition is disposed of along with pending application(s), if any.

SANJEEV NARULA, J

APRIL 22, 2026/ab

of India and Others, (2013) 12 SCC 171.