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

+ **W.P.(C) 5693/2026**

DEEPANSHU KASANA

.....Petitioner

Through: Ms. Saahila Lamba and Ms. Nidhi
Sharma, Advocates.

versus

**PRINCIPAL DISTRICT AND SESSIONS JUDGE (HQS) TIS
HAZARI COURTS, DELHI AND ORS**

.....Respondents

Through: Mrs. Avnish Ahlawat, SC, GNCTD
with Mr. Nitesh Kumar Singh, Ms.
Aliza Alam and Mr. Mohnish
Sehrawat, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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27.04.2026

1. This petition arises out of the recruitment process initiated pursuant to Vacancy Notice/Advertisement No. 01/2024 dated 12th January, 2024 [*“the Advertisement”*] issued by the Delhi Subordinate Services Selection Board [*“DSSSB”*], Government of NCT of Delhi [*“GNCTD”*] for filling, *inter alia*, the post of Personal Assistant in District & Sessions Courts, Delhi. The last date for submission of applications under the Advertisement was 8th February, 2024, which also constituted the cut-off date for determining eligibility for extension of reservation benefits.

2. The Petitioner, claiming eligibility under the Other Backward Classes [*“OBC”*] category, applied for the said post. Along with the application, the



Petitioner furnished an OBC certificate dated 28th May, 2019 issued by the Office of the District Magistrate, Revenue Department, GNCTD. The said certificate, however, recorded that the Petitioner belonged to the “*Gujar community*” of the State of Uttar Pradesh.

3. The Petitioner participated in the selection process comprising multiple stages, including written examination, descriptive test and skill test. Upon successful completion of the selection process, the Petitioner was declared qualified and was issued an offer of appointment dated 8th April, 2025 to the post of Personal Assistant, which was duly accepted by him.

4. At the stage of document verification, it came to light that the OBC certificate furnished by the Petitioner did not conform to the requirements stipulated under the Advertisement, which required a valid certificate evidencing OBC status under the GNCTD, and instead referred to the State of Uttar Pradesh.

5. Upon being apprised of this deficiency, the Petitioner approached the Revenue Authorities seeking rectification of the said certificate. In this regard, an application was made requesting that the OBC certificate be corrected to reflect the Petitioner’s status as OBC under the GNCTD.

6. Pursuant thereto, the competent authority issued a fresh/rectified OBC certificate dated 10th October, 2025, certifying that the Petitioner “*belongs to the GUJAR community which is recognised as Other Backward Class under the Government of NCT of Delhi*”. The relevant portion of the said certificate reads as follows:

“CERTIFICATE NO. 90500000536246

*This is to certify that **DEEPANSHU KASANA** S/o **SURAJ KASANA** R/o **HOUSE NO-24 SUSHILA GARDEN, SEEMAPURI DELHI 110093 INDIA** belongs to the **GUJAR** community which is recognised as Other Backward Class under the Government of NCT of Delhi notified vide*



Notification No. F.28(93)/91-92/SCST/P&S/4384 dated 1995-01-20 published in the Gazette of Delhi Extraordinary Part-IV.

DEEPANSHU KASANA and his family ordinarily resides at **HOUSE NO-24 SUSHILA GARDEN, SEEMAPURI DELHI 110093 INDIA**

7. The Petitioner thereafter submitted the rectified certificate to the office of Respondent No. 1 on 14th October, 2025 and, upon receiving no response, issued a reminder dated 12th December, 2025 requesting consideration of the same and grant of appointment.

8. However, by order dated 19th March, 2026, the Respondent No. 1 cancelled the candidature of the Petitioner for the post of Personal Assistant on the ground that the Petitioner was not entitled to claim reservation benefits under the “*OBC (Delhi) category*”.

9. Aggrieved by the aforesaid cancellation, the Petitioner has approached this Court impugning the order dated 19th March, 2026 and seeking a direction to the Respondents to grant appointment to the Petitioner to the post of Personal Assistant.

Petitioner's Contentions

10. In support of the petition, Ms. Saahila Lamba, counsel for the Petitioner, makes the following submissions:

10.1. The Petitioner belongs to the Gujar community, which is recognised as an OBC under the GNCTD and duly notified in the Gazette. The Petitioner's entitlement to OBC status is not in dispute and flows from his birth, and the certificate issued by the competent authority is only evidentiary of such status.

10.2. The OBC certificate dated 28th May, 2019 issued by the Revenue Department contained an inadvertent error inasmuch as it described the Petitioner as belonging to the Gujar community of the State of Uttar



Pradesh, despite the Petitioner being a resident of Delhi and otherwise entitled to recognition under GNCTD. The said defect is attributable to the issuing authority and not to any misrepresentation on his part.

10.3. The error stood rectified by the competent authority upon the Petitioner's request, and a fresh certificate dated 10th October, 2025 was issued by the Revenue Department, GNCTD, certifying that the Petitioner belongs to the Gujar community recognised as OBC under the GNCTD. Both certificates bear the same certificate number, thereby demonstrating that the latter is only a rectification and not a new or independent certificate.

10.4. The rectified certificate relates back to the date of issuance of the original certificate and, therefore, the Petitioner is deemed to have possessed a valid OBC (Delhi) certificate even as on the cut-off date. Reliance is placed on the doctrine of relation back to submit that the subsequent correction cures the defect in the earlier certificate.

10.5. The requirement of the cut-off date, as stipulated in the Advertisement, would not operate to the detriment of the Petitioner in the present case, since the Petitioner had already furnished a valid Non-Creamy Layer certificate prior to the cut-off date and the defect in the caste certificate was merely technical in nature.

10.6. The delay in issuance of the rectified certificate cannot be attributed to the Petitioner, as the correction was effected by the Revenue Department upon verification of records. The Petitioner, having promptly approached the authorities and thereafter submitted the rectified certificate to the Respondents, cannot be penalised for administrative lapses on the part of the issuing authority.

10.7. The rectified OBC certificate has been duly verified by the Revenue



Department, GNCTD, and thus there remains no impediment in recognising the Petitioner as belonging to the OBC (Delhi) category. The Petitioner has been born and brought up in Delhi and his domicile is evidenced by official documents such as Aadhaar card, birth certificate and family records.

10.8. The action of the Respondents in cancelling the Petitioner's candidature, despite him having successfully cleared all stages of the selection process and having been issued an offer of appointment, is arbitrary, unfair and violative of Article 14 of the Constitution of India. The Petitioner cannot be deprived of appointment on account of a curable defect which stood rectified prior to the impugned decision.

Respondents' Contentions

11. Mrs. Avnish Ahlawat, SC (GNCTD) appearing for the Respondents, opposes the petition and submits as follows:

11.1. The cut-off date, as stipulated under Clause 7 of the Advertisement, mandates that a candidate must be in possession of a valid certificate in support of the claimed category as on the date of submission of the application. In the present case, the cut-off date being 8th February, 2024, the certificate dated 10th October, 2025 is clearly beyond the said date and, therefore, cannot be taken into consideration.

11.2. As on the relevant date, the Petitioner was in possession only of the certificate dated 28th May, 2019, which *ex facie* does not satisfy the requirements of the Advertisement, inasmuch as it does not certify the Petitioner as belonging to the OBC category within the GNCTD, but merely records that the Petitioner belongs to the Gujar community of the State of Uttar Pradesh.

11.3. The Petitioner was not eligible to claim reservation under the OBC



(Delhi) category at the time of application, and this aspect alone is sufficient to non-suit the Petitioner. Consequently, the subsequent certificate dated 10th October, 2025 is liable to be disregarded entirely.

11.4. Without prejudice to the above, even if the certificate dated 10th October, 2025 is taken into account, the same does not meet the requirements prescribed under the Advertisement. The said certificate does not indicate the basis on which the Petitioner's status has been altered from what was recorded in the earlier certificate, and therefore, does not inspire confidence.

11.5. The manner in which the Revenue Department has issued the subsequent certificate is questionable. The said certificate makes no reference to any foundational material or prior record justifying such a change, particularly when the earlier certificate clearly indicated the Petitioner's association with the State of Uttar Pradesh.

11.6. The impugned decision cancelling the Petitioner's candidature is in consonance with the terms of the Advertisement and does not warrant interference by this Court.

Analysis

12. Since the controversy in the present case turns on the Petitioner's entitlement to claim reservation under the OBC (Delhi) category, which, in essence, depends upon compliance with the conditions stipulated in the Advertisement, the said conditions assume determinative significance and are extracted hereunder:

"7. RESERVATION BENEFITS:

(i) Reservation benefits will be available to the SC/ST/OBC/EWS/PwBD/ESM & other special category candidates in accordance with the extant Instructions / Orders / Circulars issued from time to time by the Govt. of India and Delhi District Courts Establishment



Rules, 2012. The candidate has to select the particular category when applying online for the Post. They should be in possession of necessary certificate in support of their claim at the time of filling of the online application. No request for change of Category will be entertained at any later stage.

(ii) The Board will make shortlisting of candidates in pursuance to the vacancies reported for various posts by District & Sessions Courts and Family Courts. The Board does not have any role in deciding the number of vacancies in any of the court. Implementation of reservation policy, maintaining reservation roster and earmarking of vacancies amongst different categories fall under the domain of the District & Sessions Courts and Family Courts.

(iii) The cut-off date will be the closing date of application i.e. 08/02/2024 for ascertaining the eligibility of the Candidates for extension of any benefits wherever applicable.

(iv) OBC reservation benefit shall be given to only those candidates who are in possession of OBC Certificate issued by the Competent Authority of the Govt. of NCT of Delhi for the caste recognized as OBC by the Government of NCT of Delhi. Candidates belonging to OBC category would be required to submit the non-creamy layer (NCL) certificate issued from the Competent Authority of the Govt. of NCT of Delhi in case his/her Caste Certificate was issued in the previous financial year(s). The NCL certificate should have been issued before cut-off date by the Competent Authority of Govt. of NCT of Delhi, which has issued the OBC Caste Certificate. OBC (Outside) candidates will be treated as Un-reserved candidate and they must apply under UR category.

(v) Only following two types of certificates will be accepted as valid certificates for grant of benefit of reservation to OBCs:-

a) OBC certificate (Delhi) issued by the Revenue Department of GNCT of Delhi, on the basis of a old certificate issued to any member of individual's family from GNCT of Delhi.

b) OBC certificate issued by a competent authority outside Delhi to a person belonging to a community duly notified as OBC by GNCT of Delhi. This certificate should have mandatorily been issued on the basis of OBC certificate issued by Govt. of NCT of Delhi to a family member of the concerned person who had been residing in Delhi before 08/09/1993."

13. The Advertisement mandates that a candidate seeking reservation benefits must be in possession of a valid certificate in support of such claim at the time of submission of the application, i.e., on the cut-off date of 8th February, 2024. Further, for availing OBC (Delhi) reservation, the candidate must possess a certificate issued by the competent authority of GNCTD



certifying that he/she belongs to a caste recognised as OBC by GNCTD, in terms of Clause 7(iv) of the Advertisement, and subject to the conditions stipulated under Clause 7(v).

14. In the present case, as on the cut-off date, the Petitioner was in possession only of the OBC certificate dated 28th May, 2019. A perusal of the said certificate reveals that it does not certify the Petitioner's status as belonging to the OBC category within the GNCTD, but instead records that the Petitioner belongs to the Gujar community of the State of Uttar Pradesh. The said certificate, therefore, *ex facie* does not meet the requirements stipulated under Clause 7(iv) and Clause 7(v) of the Advertisement for claiming reservation under the OBC (Delhi) category.

15. The Petitioner has sought to rely upon the subsequent certificate dated 10th October, 2025 issued by the Revenue Department, GNCTD. However, this certificate was admittedly issued well beyond the cut-off date of 8th February, 2024. In view of the express stipulation in the advertisement that the candidate must be in possession of the requisite certificate as on the date of submission of the application, the said certificate cannot be taken into consideration for determining eligibility.

16. Even otherwise, assuming that the subsequent certificate dated 10th October, 2025 were to be taken into consideration, this Court finds merit in the contention of the Respondents that the same does not satisfy the requirements prescribed under the Advertisement. The certificate does not indicate that it has been issued on the basis of an earlier OBC certificate of a family member issued by GNCTD, as contemplated under Clause 7(v)(a), nor does it meet the requirement under Clause 7(v)(b), which mandates that such certification be traceable to an OBC certificate issued by GNCTD to a



family member residing in Delhi prior to 8th September, 1993. In fact, the earlier certificate relied upon by the Petitioner itself makes reference to a certificate issued to the Petitioner's father by the State of Uttar Pradesh and not GNCTD.

17. The Petitioner's contention that the subsequent certificate is merely a rectification of the earlier certificate and must relate back to the original date of issuance cannot be accepted. The requirement under the Advertisement is not merely of existence of a caste status, but of possession of a valid and compliant certificate as on the cut-off date. Even otherwise, for the reasons noted hereinabove, the subsequent certificate does not satisfy the conditions prescribed under Clause 7(v) of the Advertisement. The defect in the original certificate is not a mere technical irregularity but goes to the root of eligibility, as it fails to certify the Petitioner as belonging to the OBC category within GNCTD.

18. The further submission that the Petitioner should not be penalised for an error attributable to the issuing authority, and that the delay in rectification was beyond the Petitioner's control cannot override the explicit terms of the Advertisement. It is well settled that the selection process has to be conducted strictly in accordance with the stipulated conditions of the advertisement, which must be scrupulously maintained, and there can be no relaxation in the terms and conditions thereof unless such power is specifically reserved.¹ Any relaxation of the prescribed conditions would be contrary to the mandate of equality under Articles 14 and 16 of the Constitution.

19. In view of the above, this Court finds that the Petitioner did not



possess a valid OBC (Delhi) certificate as on the cut-off date and, therefore, was not eligible to claim reservation under the said category. The impugned decision cancelling the Petitioner's candidature is, thus, in consonance with the terms of the Advertisement and does not warrant interference.

20. In light of the foregoing, the Court finds no basis to allow the present petition and accordingly, the same is dismissed.

SANJEEV NARULA, J

APRIL 27, 2026/hc

¹ See: *Bedanga Talukdar v. Saifudaullah Khan & Ors.* (2011) 12 SCC 85.