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

+ **W.P.(C) 5967/2026 & CM APPL. 29290/2026**

SANJAY KUMAR MEENA

.....Petitioner

Through: **Mr. Vijay Kumar Meena, Advocate.**

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: **Mrs. Avnish Ahlawat, SC (GNCTD)**
with **Mr. N.K. Singh, Ms. Aliza Alam**
and **Mr. Mohnish Sehrawat,**
Advocates for R-1 & 3.
Mr. Uday Seth, Advocate for R-2, 4
& 5.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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04.05.2026

1. The present petition seeks quashing of the communication dated 26th February, 2026 issued by Respondent No. 2 (Delhi Transco Limited), whereby the candidature of the Petitioner for the post of Assistant Electric Fitter (Post Code 77/23), pursuant to selection conducted by the Respondent No. 3 (Delhi Subordinate Services Selection Board¹), has been cancelled on the ground that the experience certificate submitted by him was not supported by additional documentary evidence such as salary slips, EPF records or similar material.

2. Respondent No. 3 issued an advertisement dated 10th November, 2023 inviting applications for the aforesaid post, prescribing, *inter alia*, I.T.I. in



Electrical Trade with two years' experience in erection/maintenance of transformers, HT & LT switchgears and fitter machines as one of the essential qualifications.

3. The Petitioner participated in the selection process and was declared provisionally selected *vide* result dated 16th July, 2025. Pursuant thereto, he was called upon to submit his e-dossier along with requisite documents in terms of the recruitment rules.

4. The Petitioner submitted the requisite documents, including an experience certificate dated 06th March, 2023 issued by his previous employer, namely, Primaeval Solutions Pvt. Ltd., Sikar, certifying that he had worked from 07th January, 2019 to 24th February, 2022 in relation to electrical projects. The Respondents undertook verification of the documents and also carried out physical verification at the Petitioner's stated place of work. In addition, confirmation was sought from the employer, which was duly furnished.

5. It is not in dispute that the employer, in response to the queries raised by the Respondents, confirmed that the Petitioner had worked during the period in question, albeit without payment of salary, and that he had been provided food and accommodation during such engagement.

6. On 26th February, 2026, the Respondents issued a communication to the Petitioner, cancelling the candidature of the Petitioner on the ground that the experience certificate was not supported by additional documentary evidence from the experience issuing authority.

7. The Petitioner thereafter submitted a representation dated 06th March, 2026 seeking reconsideration of the cancellation of his candidature.

¹ "DSSSB"



Subsequently, the Respondents, *vide* communication dated 19th March, 2026, sought further details from the employer regarding the nature of work performed by the Petitioner and called for supporting records such as EPF statements, attendance records and salary slips. In response, the employer, *vide* communication dated 28th March, 2026, described the nature of work undertaken and reiterated the issuance of the experience certificate, but did not furnish any financial or statutory records.

8. Mr. Vijay Kumar Meena, counsel for the Petitioner, submits that the impugned action is arbitrary and violative of Articles 14 and 16 of the Constitution of India. Neither the advertisement dated 10th November, 2023 nor the applicable Recruitment Rules required submission of salary slips, EPF statements or any other supporting documents beyond the experience certificate, which the Petitioner has duly furnished. The subsequent insistence on such documents amounts to introduction of a new condition after completion of the selection process, which is impermissible in law, the “rules of the game” being incapable of alteration midstream. Reliance is placed on ***Jammu & Kashmir Services Selection Board & Anr. v. Sudesh Kumar & Ors.***²

9. Moreover, said experience was duly verified by the Respondents, who not only scrutinised the documents submitted by the Petitioner but also conducted physical verification at the place of work and obtained written confirmation from the employer on multiple occasions. Having undertaken such verification and accepted the employer’s confirmation, it was not open to the Respondents to reject the candidature on the ground of absence of additional documents.



10. The Petitioner was not paid any salary during the relevant period and was provided only food and accommodation, as confirmed by the employer. In such circumstances, the requirement of producing salary slips or EPF records is inherently incapable of compliance and cannot be used to invalidate the Petitioner's experience.

11. Reference is also made to ***Chaudhary Charan Singh Haryana Agricultural University v. Monika***³ to submit that the substance of work experience prevails over technical deficiencies in documentation, and that the nature of engagement, including temporary or unpaid work, does not detract from the validity of such experience.

12. *Per contra*, Mr. Uday Seth, counsel for Delhi Transco Ltd., submits that the candidature of the Petitioner was cancelled upon due verification, which revealed that the Petitioner's engagement with the employer was in the nature of training/internship without payment of salary and was not supported by any contemporaneous records such as salary slips, EPF contributions or attendance records. It is contended that such engagement does not satisfy the requirement of "experience" under the Recruitment Rules, and that the Respondents were justified in seeking corroborative material to ascertain the genuineness of the claim. The insistence on such supporting documents forms part of the verification process and does not amount to any alteration of the prescribed eligibility conditions.

13. The Court has considered the aforementioned contentions. The first and foremost issue in the present case pertains to the eligibility criteria prescribed in the advertisement, which reads as follows:

² In Civil Appeal No. 10932/2025, decided on 26th November, 2025.

³ 2024 INSC 911.



Post Code:-	77/23	Name of the post:-	ASSTT. ELECTRIC FITTER									
		Department:-	Delhi Transco Limited									
R.No.	No. F.DTL/1011/2021-22/Dy. MGR(HR)/838										Dated 12/11/2021	
Number of Vacancies												
UR	OBC	SC	ST	EWS	TOTAL	PwBD* (incl.)				ExSM (incl.)	SP (incl.)	
						Category (a)	Category (b)	Category (c)	Category (d) & (e)			
26	13	04	04	06	53	NIL	NIL	NIL	NIL	05	00	
This post is identified as not suitable for PwBD candidates as per User Department letter no. 1024 dated 17/02/2023.												
Educational Qualification:-		Essential:-		1. Diploma in Electrical Engineering (duly recognized by Govt.) with one year experience. OR								

		2. ITI in Electrical (duly recognized by Govt.) Trade with 2 years professional experience in Erection / Mtc. (Maintenance) Of transformers HT & LT switchgears and Filter Machines.
	Desirable:-	NIL.
Experience:-	Essential:-	As mentioned in Essential Educational Qualification Column.
	Desirable:-	NIL.
Pay Scale:-	Rs 29200 - 92300, Level -5 (Pre-Revised Rs.5200 - 20200) + Grade Pay Rs.2800/- Group 'C'	
Age Limit:-	18 to 27 years, Age Relaxation will be given as per the table at para 7.	

14. The essential qualifications provided are diploma in electrical engineer (duly recognized by Govt. institution with one year experience) and ITI in Electrical Trade from a duly recognized by Govt. institute with 2 years professional experience in Erection / Mtc. (Maintenance) of transformers HT & LT switchgears and fitter machines.

15. In the present case, there is no dispute with regard to the educational qualification of the Petitioner. The controversy centres around whether the Petitioner satisfies the requirement of possessing the requisite professional experience. In order to establish the same, the Petitioner has placed reliance



upon an experience certificate issued by Primaeval Solutions Pvt. Ltd., which reads as follows:

“PSPL /SKR/ 2022-23 / D-0097

Dated
March 6, 2023

TO WHOMSO EVER IT MAY CONCERN

*This is to certify that Sh. Sanjay Kumar Meena S/o Bhagwan Sahai Meena has worked with us as Site supervisor at our various AVVNL Electrical Projects at Distt. Sikar Rajasthan from Jan 07, 2019 to 24 feb 2022. During this period he handle various sites in Sikar circle and was found to be hard working, sincerely and well behaved
We wish him all success for his future assignments and relived from his work and duties*

*For Primaeval solutions Pvt Ltd.
PRIMAEVAL SOLUTIONS PVT. LTD.*

Sd/-

*Director
(Managing Director)
NARENDRA Yadav
PSPL- Sikar”*

16. A perusal of the aforesaid certificate shows that while it records that the Petitioner worked as a Site Supervisor from 07th January, 2019 till 24th February, 2022 and describes him as “hardworking” and “sincere”, it does not delineate the specific nature of work performed by him so as to demonstrate that he had acquired the kind of experience contemplated under the recruitment rules, namely, experience in erection/maintenance of transformers, HT & LT switchgears and fitter machines.

17. This aspect assumes significance in light of the subsequent correspondence between the Respondent and the said employer, wherein clarification was sought regarding the nature of the Petitioner’s engagement



and the absence of supporting records such as salary slips or EPF contributions. The communications received in that regard read as follows:

“PSPL/SKR/2025-26/ 84

Dated 18-12-2025

*To
The Assistant (Gr-I)
Delhi Transco Limited
New Delhi*

*Sub:- Regarding Confirmation of Experience of Mr. Sanjay Kumar
Meena S/O Bhagwan Sahai Meena
Ref :- Your Good Office letter No 15008 dt 15-12-2025*

Dear sir

*With reference to the cited subject matter, we hereby confirm that the
Mr. Sanjay Kumar Meena S/O Bhagwan Sahai Meena working with us
from Jan 07 -2019 to 24 feb 2022 as the supervisor for which we
provide Experience letter to him vide our letter no.PSPL.SKR/2022-23
D-0097 dated March 6,2023*

*As Mr. Sanjay approach is for getting training and learning purpose
due to not getting any job since 2016 after passing ITI, he his working
as temporary basis with our sub-contractor and getting
Accommodation and fooding expenses from our sub-contractor at
various site locations in Sikar district during his working period he get
training and learn the things for his own work so no salary provided to
him.*

*Primaval Solutions Pvt. Ltd.
Sd/-
(Managing Director)
Narendra Yadav
PSPL-Sikar”*

xxxxxxxxxxx

“PSPL/SKR/2025-26/ 104

*Dated
03-02-2026*

*To
The Assistant (Gr-I)
Delhi Transco Limited
New Delhi*

*Sub:- Regarding Confirmation of Experience of Mr. Sanjay Kumar
S/O Bhagwan Sahai Meena*



Ref :- Your Good Office Letter No 15008 dt 15-12-2025

Dear sir

with reference to the cited subject matter and your office letter referred above we hereby submit confirmation regarding genuineness of experience certificate issued by our firm to Mr. Sanjay Kumar Meena s/o shri Bhagwan Sahai Meena vide our office letter no PSPL/SKR/2022-23/D-0097 dated 06 march 2023.

As Mr. Sanjay Kumar Meena approached our firm for getting training and learning purpose due to not getting job since 2016 after passing ITI. He had worked with our firm as supervisor on temporary basis at various electrical projects from 07 Jan 2019 to 24 Feb 2022. He got fooding and lodging facilities from our company free of cost at various locations of our projects in Sikar district during his working period. He got training and learned the things regarding electrical projects during his working period with us for his own knowledge so no salary provided to him from our firm.

Primaval Solutions Pvt. Ltd.

Sd/-

Narendra Yadav

Managing Director

PSPL-Sikar”

18. The aforesaid communications materially alter the complexion of the Petitioner's claim. The employer has, in clear terms, stated that the Petitioner had approached the firm for training and learning purposes, was engaged on a temporary basis, was provided only food and lodging facilities, and was not paid any salary. It has further been stated that the Petitioner “got training and learned the things” during the said period. These communications, therefore, do not unequivocally establish a relationship of employment in the conventional sense, but rather indicate that the Petitioner was undergoing a form of training or internship at the project sites.

19. In this backdrop, the contention of the Petitioner that the experience certificate, by itself, ought to be treated as sufficient proof of the requisite experience cannot be accepted. The requirement under the recruitment rules



is not merely of participation or exposure, but of “professional experience” in specified technical works. The material placed on record does not demonstrate that the Petitioner had acquired such experience in the manner contemplated under the advertisement.

20. The further contention that the Respondents have introduced an additional requirement by insisting upon salary slips, EPF records or other supporting documents also does not merit acceptance. The insistence on such material is not in the nature of adding a new eligibility condition, but forms part of the process of verification of the genuineness and nature of the claimed experience, particularly in a case where the employer itself describes the engagement as one for training purposes without salary and unsupported by formal records.

21. In this context, reliance placed by the Petitioner on ***Jammu & Kashmir Services Selection Board & Anr. v. Sudesh Kumar & Ors.*** is misplaced. The said decision pertains to a situation where the evaluation criteria was altered after completion of the selection process. In the present case, there is no change in the eligibility criteria or evaluation framework; the Respondents have only examined whether the Petitioner satisfies the requirement of prescribed professional experience.

22. Likewise, the reliance on ***Chaudhary Charan Singh Haryana Agricultural University v. Monika*** is misconceived. That case concerned whether experience gained through outsourced engagement could be counted, and the Supreme Court held that the mode of engagement would not, by itself, be a ground to deny experience where the work performed stood established. In the present case, however, the material on record indicates that the Petitioner’s engagement was in the nature of training for



learning purposes, and does not establish the requisite professional experience. The said decision, therefore, does not advance the case of the Petitioner.

23. It is well settled that both the prescription of eligibility conditions and the determination of whether a candidate satisfies them fall within the domain of the employer, the scope of judicial review in such matters being limited.

24. The Supreme Court in *Maharashtra Public Service Commission v. Sandeep Shriram Warade*,⁴ held that essential qualifications for appointment are for the employer to decide. The Court cannot lay down eligibility conditions, nor can it rewrite an advertisement by treating desirable or allied qualifications as equivalent to the prescribed one. It was also held that questions of equivalence fall outside the ordinary domain of judicial review where the advertisement and rules are clear. Similarly, in *Zahoor Ahmad Rather v. Sheikh Imtiyaz Ahmad*,⁵ it has been held that judicial review cannot be exercised to enlarge the ambit of prescribed qualifications or to read into the recruitment conditions what has not been provided.

25. These principles apply with equal force to the present case. The advertisement constitutes a representation to all prospective candidates and its terms cannot be diluted or expanded through judicial intervention. What is required under the recruitment rules is “professional experience” of a specified nature. The Respondents, upon verification, have found that the material placed on record does not establish such experience, but rather

⁴ (2019) 6 SCC 362.

⁵ (2019) 2 SCC 404.



indicates a training engagement. In such circumstances, this Court would not substitute its own assessment for that of the employer in determining whether the eligibility criteria stands satisfied.

26. In view of the aforesaid, this Court is of the considered opinion that the Petitioner has failed to establish that he fulfills the requirement of possessing the prescribed professional experience under the recruitment rules. The decision of the Respondents to cancel his candidature is, therefore, based on a reasonable assessment of the material on record and cannot be said to be arbitrary or warranting interference in exercise of writ jurisdiction.

27. For the foregoing reasons, no ground for interference is made out. The petition is accordingly dismissed, along with pending applications, if any.

SANJEEV NARULA, J

MAY 4, 2026

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