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

+ **W.P.(C) 5639/2025**

ROBIN AGGARWAL

.....Petitioner

Through: **Ms. Pragya Baraiyan, Advocate.**

versus

**SUPREME COURT OF INDIA THROUGH SECRETARY
GENERAL & ANR.**

.....Respondents

Through: **Mr. Chetan Sharma, ASG with Ms.
Pratima N. Lakra, CGSC & Mr.
Shailendra Kumar Mishra, Advocate.
Mr. Ashutosh Kalia, Asst. Registrar,
Mr. Tarun Maurya, Sr. Court
Assistant & Ms. Ankita Zadoo, Court
Asst.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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05.02.2026

1. This writ petition seeks a direction to the Respondents to appoint the Petitioner to the post of Junior Court Assistant¹ in terms of the letter dated 25th October, 2024 issued by Respondent No. 2/Recruitment Cell, Supreme Court of India. The Petitioner also assails email dated 14th February, 2025 issued by Respondent No. 2, informing him about the cancellation of his candidature for the said post.

2. The relevant facts are that the Petitioner joined the Punjab Waqf Board in April 2021 as a Rent Collector and continues to serve in that

¹ "JCA"



capacity. On 18th June, 2022, Respondent No. 2 issued an advertisement for the post of JCA in the Supreme Court of India. The Petitioner appeared in the written tests and interview, and the final result declared on 23rd December, 2023 placed his name at Serial No. 285. The result expressly stated that the list was provisional, subject to verification of documents and fulfilment of eligibility conditions, and did not confer any right to appointment. The panel was also stipulated to remain valid for one year with effect from 22nd December, 2023.

3. During the verification process, a letter dated 25th October, 2024 was addressed to the Petitioner's employer seeking medical examination and character and antecedent verification. In response, the Chief Executive Officer, Punjab Waqf Board, Chandigarh, informed that a departmental enquiry under Rule 8 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, relating to imposition of a major penalty in connection with release of a compensation amount, was pending against the Petitioner. The verification report, along with the said communication, was placed before the Competent Authority which, by order dated 30th November, 2024, cancelled the Petitioner's candidature in view of the pendency of the disciplinary proceedings.

4. Aggrieved by the cancellation of his candidature, the Petitioner has approached this Court. He also challenges communication dated 14th February, 2025 issued by Respondent No. 2, informing him of such cancellation, and accordingly, seeks a writ of mandamus directing the Respondents to appoint him to the post of JCA.

5. Counsel for the Petitioner submits that the action of Respondent No. 2 in cancelling his candidature is illegal, arbitrary and vitiated by procedural



impropriety. It is contended that the Petitioner had informed Respondent No. 2 that, by order dated 6th February 2025, the Punjab Waqf Board had withdrawn the chargesheet against him, yet the Respondents reiterated the decision of cancellation without reconsidering his case. She submits that cancellation of candidature must rest on a justifiable ground and, though Respondent No. 2 possesses discretion in matters of appointment, such discretion must operate within the bounds of the recruitment and eligibility criteria and in a fair and reasonable manner, as recognised in ***U.P. State Road Transport Corpn. v. Mohd. Ismail.***²

6. It is further urged that once a candidate is duly selected and empanelled, the selection can be withdrawn only for *bona fide* reasons. The Petitioner having been placed in the merit list and issued a selection letter, the subsequent cancellation solely on account of a pending enquiry, which itself stood withdrawn, amounts to granting him a clean chit. Consequently, no adverse inference regarding his character could thereafter be drawn. Accordingly, the cancellation of candidature and the communication dated 14th February, 2025 are liable to be set aside.

7. On the other hand, Ms. Pratima Lakra, CGSC, supports the impugned action and submits that, at the stage of verification, the Petitioner was facing a departmental enquiry involving imposition of a major penalty and, therefore, his candidature could not be cleared, leading to its cancellation. She further submits that the panel in which the Petitioner was placed expired on 21st December, 2024, and the subsequent withdrawal of the chargesheet cannot retrospectively revive a lapsed panel or confer any enforceable right of appointment. It is also contended that inclusion of the Petitioner's name

² (1991) 3 SCC 239.



in the select panel did not confer any vested right to appointment, and places reliance on ***Rakhi Ray & Ors. v. High Court of Delhi***.³

8. The Court has considered the aforesaid submissions. It is not in dispute that the Petitioner's name appeared in the selection list dated 23rd December, 2023; however, his candidature was cancelled at the stage of verification upon Respondent No. 2 receiving information regarding the pendency of a disciplinary proceeding involving a major penalty. Though no specific written regulation or circular governing the requirement of a clean verification has been placed on record, the result notification itself expressly stipulated that the list was provisional and subject to verification of documents and fulfilment of eligibility conditions. It is also evident that, as part of the recruitment process, Respondent No. 2 conducts police verification and seeks vigilance clearance from the previous employer. Acting on the material then available, including the communication from the Petitioner's employer disclosing the pending enquiry, the competent authority cancelled his candidature on 30th November, 2024.

9. The result notification further provided that the panel would remain valid for one year with effect from 22nd December, 2023, *i.e.*, till 22nd December, 2024. The chargesheet against the Petitioner was withdrawn by the Punjab Waqf Board only thereafter. Such subsequent withdrawal cannot operate retrospectively so as to invalidate a decision that was validly taken on the basis of the facts existing at the relevant time. It is settled law that inclusion in a select list does not confer an indefeasible right to appointment but only a right to consideration in accordance with the applicable

³ (2010) 2 SCC 637.



conditions.⁴

10. Counsel for the Respondents, on instructions, submits that no vacancies presently exist for the subject post. Once the notified vacancies stand filled and the panel has lapsed, no enforceable right survives. Accordingly, the Petitioner cannot claim any entitlement to appointment to the post.

11. At this juncture, counsel for the Petitioner contends that the decision cancelling the candidature was not communicated to the Petitioner, which is not disputed by the Respondents. The communication dated 14th December 2025 was issued only after the Petitioner informed Respondent No. 2 regarding withdrawal of the chargesheet. In the opinion of this Court, such cancellation ought to have been promptly intimated to the Petitioner, as a candidate included in the select list is entitled to be informed so as to enable him to avail appropriate remedies. However, the failure to communicate the decision, by itself, cannot revive an expired panel nor confer a right to appointment in the absence of a subsisting vacancy.

12. In light of the foregoing, the Court finds no basis to grant the relief sought. The petition is accordingly dismissed.

SANJEEV NARULA, J

FEBRUARY 5, 2026/hc

⁴ Rakhi Ray v. High Court of Delhi, (2010) 2 SCC 637.