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

+ **W.P.(C) 7692/2017, CM APPL. 64313/2023**

RUCHIKA TANWAR

.....Petitioner

Through: Mr. Shivanshu Bhardwaj,
Mr. Himanshu Bhardwaj,
Ms. Shradha Maheshwari and
Mr. Archit Mudgal, Advocates.

versus

**THE REGISTRAR, GURU GOBIND SINGH INDRAPRASTHA
UNIVERSITY & ANR**

.....Respondents

Through: Ms. Anita Sahani, Advocate for R-1.
Mrs. Avnish Ahlawat, SC for
GNCTD with Mr. N.K. Singh, Ms.
Aliza Alam and Mr. Mohnish
Sehrawat, Advocates.
Mr. Balendu Shekhar, Mr. Raj Kumar
Maurya, Mr. Krishna Chaitanya and
Mr. Divyansh Singh, Advocates for
R-4.

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

ORDER

% **14.01.2026**

1. This petition under Article 226 of the Constitution of India assails the action of Respondent No. 1 in not selecting/appointing the Petitioner to the post of Assistant Professor (Chemical Technology), USCT, and seeks a direction to Respondent No. 1 to select/appoint the Petitioner to the said post.
2. The Petitioner applied for appointment to the post of Assistant



Professor (Chemical Technology) pursuant to advertisement dated 24th January, 2013. She contends that she was called for interview and, out of the 36 reserved seats for the said post, two candidates, one each from the SC and ST categories, were appointed, whereas the Petitioner, who belongs to the OBC category, was not considered.

3. She further submits that she had earlier approached this Court by way of W.P.(C) 5070/2014, which was disposed of *vide* order dated 12th August, 2014, recording the submission on behalf of the Respondents that the Petitioner's representation would be responded to within a period of four weeks, with liberty to the Petitioner to avail appropriate remedies in case her grievance remained unredressed. Pursuant thereto, the Respondent University issued a reply dated 30th September, 2014, which according to the Petitioner does not redress her grievance. Consequently, the present petition has been filed.

4. It is urged that the Petitioner, being eligible and belonging to the OBC category, could not have been ignored. It is further contended that the Respondent University's reply dated 30th September, 2014 to the legal notice is evasive and, in fact, indicates that out of 17 posts earmarked for OBC candidates, only 10 were filled. It is also asserted that there was no OBC Assistant Professor in the concerned department and, therefore, Respondent No. 1 acted in violation of the reservation roster, depriving the Petitioner of an OBC earmarked post.

5. It is thus contended that Respondent No. 1 has acted arbitrarily and in a mala fide manner, thereby violating Articles 14 and 16 of the Constitution of India.

6. The Court has considered the aforesaid contentions and has also heard



Ms. Anita Sahani, counsel for Respondent No. 1. Certain pertinent facts which emerge from the record need to be noticed.

7. The impugned advertisement dated 24th January, 2013 was also the subject matter of challenge before this Court in ***Dr. Debasis Poddar & Ors. v Guru Gobind Singh Indraprastha University and Anr.***¹ The cause of action pleaded in the said writ petition noted in paragraph 2 thereof, reads as under:

“2. The basic cause of action which is pleaded in the writ petition is for implementation of UGC guidelines for reservation for all posts. This cause of action is buttressed by reference to clause 3.2 of Statute 31 of the respondent No. 1 which prescribes reservation for posts for candidates belonging to SC/ST/OBC/Handicapped and other special categories etc. Challenge was laid the writ petition to the impugned advertisement dated 24.1.2013 which reserved the entire 36 posts of Assistant Professor (which was advertised) for SC/ST and OBC category. One post was also reserved for persons with disability out of the aforesaid 36 posts. By the same advertisement 15 posts of Professor and 24 posts of Associate Professor were also advertised. Challenge is also laid to appointment process without creating and following the Roster Point System.”

8. Considering the submissions advanced, this Court declined to interfere with appointments pursuant to the said advertisement, *inter alia* noting that sufficient posts remained available for roster implementation and that the recruitment process had already substantially concluded. The relevant extracts of paragraphs 9 and 10 read as under:

“9. So far as the appointments which have already been made though formal appointment letters have not been issued, and which are made pursuant to the impugned advertisement dated 24.1.2013 I am not inclined to exercise my discretionary and extraordinary powers under Article 226 of the Constitution of India for three important reasons. First reason is that sufficient numbers of posts are still available by which the Roster Point System of reservation can be framed and implemented by the respondent No.1. This aspect is taken into account by me alongwith the fact that in the counter affidavit the statement is made on oath that earlier recruitment processes for many posts were unsuccessful and hence many

¹ W.P.(C) 2943/2013



posts could not be filled. There was exigency for filling up of the posts otherwise the education of the students would have suffered. The second reason for me not to in any manner interfere with the appointments as already made is that the classes of students are to start from 1.8.2013 i.e within a week. Thus, at this stage, I am not inclined to interfere with the recruitment initiated through the impugned advertisement dated 24.1.2013 taken especially with the first point stated by me above. The third aspect which I would like to state is that by the time the petitioners brought up the writ petition to this Court for the first time, entire recruitment process stood completed, selections and appointments were made however formal appointment letters were not issued only in deference to the petition pending in this Court.

10. In view of the above, the writ petition is dismissed so far as the challenge is laid to the recruitment through the advertisement dated 24.1.2013 is concerned, however, the respondent No.1 will be bound by the admissions for further admissions including for making Roster Point System as stated in para 6 above. Parties are left to bear their own costs."

9. In the instant case, the Petitioner challenges the very same advertisement. Although as fairly pointed out by Ms. Sahani, that the Petitioner's interview was held subsequent to the said decision, however, that, in the opinion of the Court, would not change the outcome.

10. It is also relevant to note that the Petitioner had earlier approached this Court by way of W.P.(C) 5070/2014, which was disposed of on 12th August, 2014, with the following directions:

"1. The present petition has been filed by the petitioner praying inter alia for issuance of directions to the respondent No.1/GGSIU to select her on the post of Assistant Professor (Chemical Technology, USCT).

2. Mr.Rajiv Aggarwal, learned counsel for the petitioner states that in January 2013, the respondent No.1/GGSIU had issued an advertisement inviting applications for the posts of Professor, Associate Professor and Assistant Professor in different disciplines/departments and in response thereto, the petitioner had applied for appointment to the post of Assistant Professor (Chemical Technology). Subsequently, the petitioner was called for an interview on 30.9.2013. However, later on she came to know that two candidates in the SC and ST categories have been appointed to the aforesaid post and the petitioner who was the sole candidate in the OBC category, was ignored.

3. Learned counsel for the petitioner submits that adopting the RTI



route, the petitioner made an effort to gather information as to the manner in which the two posts were filled up, but the reply dated 24.10.2013 forwarded by the respondent No.1/GGSIU did not throw any light on this aspect.

4. The aforesaid submission is however denied by learned counsel for the respondent No.1/GGSIU who appears on advance copy and states that the present petition is not only bad for non-joinder of necessary parties, namely, the two candidates who have already been selected by the respondent No.1/GGSIU to the posts of Assistant Professor (Chemical Technology), but it is even otherwise liable to be dismissed on the ground of delay and laches for the reason that the interview process for the said post was over in the months of September-October 2013 and the petitioner has chosen to approach this court quite belatedly after a lapse of eleven months.

5. On merits, it is stated by learned counsel for the respondent No.1/GGSIU that out of the 36 posts of Assistant Professor (Chemical Technology) advertised by the respondent No.1/GGSIU, eleven posts were reserved for SC category, but only six posts were filled up, while five posts are lying vacant; all the eight posts reserved for the ST category, have been filled up and out of seventeen posts reserved for the OBC category, seven posts have been filled up while ten posts are lying vacant. He submits that if the main grievance of the petitioner is that the legal notice dated 8.1.2014 issued on her behalf has not been replied to by the respondent No.1/GGSIU, it shall reply to the same within four weeks from today.

6. In view of the aforesaid submission made by learned counsel for the respondent No.1/GGSIU, which is acceptable to the other side, the present petition is disposed of.

7. In case the grievance of the petitioner survives after receiving a reply from the respondent No.1/GGSIU, she shall be entitled to seek her remedies, if any, in accordance with law."

11. At that stage, a limited direction was issued to Respondent No. 1 to respond to the Petitioner's legal notice/representation. In compliance thereof, Respondent No. 1 rendered its reply dated 30th September, 2014. Thereafter, the Petitioner approached this Court by filing the present petition only on 21st August, 2017, i.e., after a delay of nearly three years.

12. At this juncture, after a period of nearly 13 years, interference in the appointments made pursuant to the impugned advertisement would have serious consequences for the selected candidates, which, in the opinion of



the Court, cannot be permitted at the instance of a party approaching the Court belatedly.

13. In sum, the recruitment process pursuant to the impugned advertisement has already been examined by this Court in ***Debasis Poddar***, where interference was declined. The present petition, filed years later, seeks reopening of the same recruitment, which is impermissible, besides being barred by delay and laches. Therefore, the Court finds no basis to delve into the merits of the case.

14. Accordingly, the present petition is dismissed along with pending application.

SANJEEV NARULA, J

JANUARY 14, 2026

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