



2025:DHC:8538



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

*Decided on 23.09.2025*

+ W.P.(C) 9782/2025

DR. K. KANNAN

.....Petitioner

Through: Mr. B. Karunakaran and Ms. Pooja  
Lakshmi, Advocates. [M:-  
9744847115]

versus

THE REGISTRAR UNIVERSITY OF DELHI .....Respondent

Through: Mr. Mohinder Rupal, Mr. Hardik  
Rupal & Ms. Aishwarya Malhotra,  
Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**PRATEEK JALAN, J (ORAL)**

1. The petitioner has filed this writ petition with respect to recruitment to the post of Assistant Professor, Faculty of Law in respondent – University of Delhi [“University”]. He is aggrieved by his exclusion from consideration on the ground that he was not eligible for the post.

2. I have heard Mr. B. Karunakaran, learned counsel for the petitioner, and Ms. Aishwarya Malhotra, learned counsel for the University.

3. Several posts of Assistant Professor were advertised by the University on 03.10.2024. These included 32 posts of Assistant Professor in the Faculty of Law, of which 4 posts were reserved for Scheduled Caste [“SC”] candidates. The petitioner applied in the SC category.

4. The advertisement specified the essential eligibility qualifications for the post, as follows:-



***“I. For the disciplines of Arts, Commerce, Humanities, Law, Social Sciences, Sciences, Languages and Library Science.***

***Eligibility (A or B):***

**A.**

***1) A Master’s degree with 55% marks (or an equivalent grade in a point-scale wherever the grading system is followed) in a concerned/relevant/allied subject from an Indian University, or an equivalent degree from an accredited foreign University.***

***2) Besides fulfilling the above qualifications, the candidate must have cleared the National Eligibility Test (NET) conducted by the UGC or the CSIR (exemption from NET shall be granted in accordance with clause (ii) & (iii) of General Note in the last section of this document).***

*Or*

**B.**

***The Ph.D. degree has been obtained from a foreign University/Institution with a ranking among top 500 in the world University ranking (at any time) by any one of the following: (i) Quacquarelli Symonds (QS) (ii) The Times Higher Education (THE) or (iii) The Academic Ranking of World Universities (ARWU) of the Shanghai Jiao Tong University (Shanghai).***

***Note: The academic score as specified in the screening guidelines for the departments of the University shall be considered for short-listing of the candidates for interview only, and the selections shall be based only on the performance in the interview.***

***(Kindly refer to General Note in the last section of this document)’<sup>1</sup>***

The petitioner claims to be eligible under Option A above.

5. Alongwith the advertisement, the University also published detailed guidelines for screening and/or shortlisting of candidates. The guidelines provided for shortlisting on the basis of a 100 point scale with the following distribution of marks:-

***“ Table I Criteria for Short-listing of Candidates for interview for the Post of Assistant Professor in the Departments of the University***

<b><u>Sr. No.</u></b>	<b><u>Academic Record</u></b>	<b><u>Score</u></b>				
<b><i>1</i></b>	<b><i>Graduation.</i></b>	<b><i>80% &amp; Above</i></b>	<b><i>=</i></b>	<b><i>60% to less</i></b>	<b><i>55% to less</i></b>	<b><i>45% to less</i></b>
		<b><i>15</i></b>				

<sup>1</sup> Emphasis supplied.



			than 80% = 13	than 60% = 10	than 55% = 05
2	<b>Post-Graduation</b>	<b>80% &amp; Above=25</b>	<b>60% to less than 80% = 23</b>	<b>55% (50% in case of SC / ST / OBC (non-creamy layer)/PwBD) to less than 60% = 20</b>	
3	<i>M.Phil. / M.Tech. / LLM / M.Ed. or equivalent</i>	60% & above = 07	55% to less than 60% = 05		
4	<i>Ph.D.</i>	30			
5	<i>NET with JRF</i>	07			
6	<i>NET</i>	05			
	<b>Research Publications (2 marks for each research publications published in UGC CARE list or SCOPUS indexed) •(refer point no. 3 of “Shortlisting of candidates: Criteria and Process”)</b>	10			
7	<i>Teaching/Post Doctoral Experience (2 marks for one year each)#</i>	10			
8	<i>Awards</i>				
	<i>International/National Level (Awards given by International Organizations/Government of India / Government of India recognized National Level Bodies)</i>	03			
	<i>State-Level (Awards given by State Government)</i>	02			

<sup>2</sup> Emphasis supplied.



6. It is an admitted position that candidates were shortlisted if they secured a minimum of 65 marks in the screening, with a relaxation of 5 marks for SC/ST/PwBD candidates. Therefore, the threshold for shortlisting SC candidates was 60 marks.

7. The case of the University is that the petitioner was not considered eligible, as he scored only 55 marks in the screening process. In the counter affidavit, it is stated that he was awarded 5 marks for his LL.B. degree [having scored 50% marks therein], 20 marks for his LL.M. degree, and 30 marks for his Ph.D. degree.

8. As far as the score of 5 marks for the LL.B., and 30 marks for the Ph.D. degrees are concerned, the petitioner accepts that the same have been correctly awarded. It is also accepted that the petitioner's LL.B. degree having been counted as his graduation degree, he was not entitled to any additional marks for his B.Sc. degree in Zoology. The petitioner, however, contends that he ought to have been awarded additional marks for his post graduate qualifications, as he possesses both an MBA degree and LL.M. degree, and that his research publications have also not been accounted for.

9. As far as the claim for additional marks on account of the MBA degree is concerned, the University's position is that the eligibility conditions clearly mention that the Master's degree must be "*in a concerned/relevant /allied subject*". As the petitioner had applied for a position in the Faculty of Law, his LL.M. degree was considered the "*concerned/relevant /allied subject*", and not his degree in Business Management.



10. The matter of academic evaluation in such cases is generally left to the discretion of the employer. The University and its academic experts are best placed to assess the qualifications required for a position in the Faculty of Law. The judgments *inter alia* in *Zahoor Ahmad Rather & Ors. v. Sheikh Imtiyaz Ahmad & Ors.*<sup>3</sup>, *Maharashtra Public Service Commission v. Sandeep Shriram Warada & Ors.*<sup>4</sup>, and *Mukul Kumar Tyagi v. State of U.P. & Ors.*<sup>5</sup>, clearly hold that the Court will not substitute its own view for that of the employer when considering matters of academic equivalence. In *Zahoor Ahmad*, the Supreme Court observed as follows:

*“26. We are in respectful agreement with the interpretation which has been placed on the judgment in Jyoti K.K. [Jyoti K.K. v. Kerala Public Service Commission, (2010) 15 SCC 596] in the subsequent decision in Anita [State of Punjab v. Anita, (2015) 2 SCC 170]. The decision in Jyoti K.K. turned on the provisions of Rule 10(a)(ii). Absent such a rule, it would not be permissible to draw an inference that a higher qualification necessarily presupposes the acquisition of another, albeit lower, qualification. **The prescription of qualifications for a post is a matter of recruitment policy. The State as the employer is entitled to prescribe the qualifications as a condition of eligibility. It is no part of the role or function of judicial review to expand upon the ambit of the prescribed qualifications. Similarly, equivalence of a qualification is not a matter which can be determined in exercise of the power of judicial review. Whether a particular qualification should or should not be regarded as equivalent is a matter for the State, as the recruiting authority, to determine.** The decision in Jyoti K.K. turned on a specific statutory rule under which the holding of a higher qualification could presuppose the acquisition of a lower qualification. The absence of such a rule in the present case makes a crucial difference to the ultimate outcome. In this view of the matter, the Division Bench [Imtiyaz Ahmad v. Zahoor Ahmad Rather, LPA (SW) No. 135 of 2017, decided on 12-10-2017 (J&K)] of the High Court was justified in reversing the judgment [Zahoor Ahmad Rather v. State of J&K, 2017 SCC OnLine J&K 936] of the learned*

<sup>3</sup> (2019) 2 SCC 404 [hereinafter, “*Zahoor Ahmad*”].

<sup>4</sup> (2019) 6 SCC 362, paragraph 9.

<sup>5</sup> (2020) 4 SCC 86, paragraph 59.



Single Judge and in coming to the conclusion that the appellants did not meet the prescribed qualifications. We find no error in the decision [*Imtiyaz Ahmad v. Zahoor Ahmad Rather*, LPA (SW) No. 135 of 2017, decided on 12-10-2017 (J&K)] of the Division Bench.

**27. While prescribing the qualifications for a post, the State, as employer, may legitimately bear in mind several features including the nature of the job, the aptitudes requisite for the efficient discharge of duties, the functionality of a qualification and the content of the course of studies which leads up to the acquisition of a qualification. The State is entrusted with the authority to assess the needs of its public services. Exigencies of administration, it is trite law, fall within the domain of administrative decision-making. The State as a public employer may well take into account social perspectives that require the creation of job opportunities across the societal structure. All these are essentially matters of policy. Judicial review must tread warily. That is why the decision in *Jyoti K.K.* must be understood in the context of a specific statutory rule under which the holding of a higher qualification which presupposes the acquisition of a lower qualification was considered to be sufficient for the post. It was in the context of specific rule that the decision in *Jyoti K.K.* turned.”<sup>6</sup>**

The only exception to this principle may arise where the assessment of the employer is found to be so arbitrary or unreasonable that no reasonable person could have arrived at such a conclusion based on the material available.

11. According to the petitioner’s application, his MBA degree was in the field of “*Financial Institution and Computer System Analysis and Data Processing*”. I am unable to find any arbitrariness in the University’s decision to discount this degree from consideration of the petitioner’s candidature for the post of Assistant Professor of Law. In my view, it is far from unreasonable to consider a degree in Law as the requisite postgraduate qualification for appointment in the Faculty of Law.

12. On the second aspect, relating to the petitioner’s research



publications, it may first be noted that the petitioner did not cite any “*research papers*” in the relevant column of his application form, but cited two books in the columns relating to “*Publication (other than research papers)*”.

13. The screening guidelines provided for the grant of 2 marks for each research publication published in the UGC CARE list or SCOPUS index.<sup>7</sup> The University’s counter affidavit clearly states that the petitioner uploaded only one publication, which was neither included in the UGC CARE list nor SCOPUS indexed. This has not been denied in the rejoinder filed by the petitioner.

14. In any event, the screening criteria provides for award of 2 marks for each qualifying research publication. Even assuming the petitioner’s research publications were eligible for 2 marks each, he would still have achieved a total score of 59 marks, which is below the minimum eligibility threshold of 60 marks.

15. In view of the above, I do not find any grounds to interfere with the decision of the University in the present case.

16. The writ petition is, therefore, dismissed, but without any order as to costs.

**PRATEEK JALAN, J**

**SEPTEMBER 23, 2025**

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<sup>6</sup> Emphasis supplied.

<sup>7</sup> I am informed that these are indices which certify academic journals, for the purposes of recognition for academic qualifications.