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

+ **W.P.(C) 234/2026 & CM APPL. 1097/2026**

ROHIT KUMAR

.....Petitioner

Through: Mr. Yoginder Singh Rohilla,
Advocate with Petitioner (in-Person).

versus

**OFFICE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE
HQ THC & ORS.**

.....Respondents

Through: Mrs. Avnish Ahlawat, SC (GNCTD)
with Mr. N.K. Singh, Ms. Aliza Alam
and Mr. Mohnish Sehrawat,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

08.01.2026

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1. The Petitioner's candidature for the post of Personal Assistant has been cancelled *vide* communication dated 26th December, 2025, on the ground that the Petitioner was not entitled to claim the benefit of reservation under the OBC-NCL category.
2. The controversy arises as the Petitioner has furnished the Non-Creamy Layer ('NCL') certificate after the cut-off date prescribed under the vacancy notice, i.e., 8th February, 2024.
3. The Petitioner contends that he was already in possession of a certificate issued by the Revenue Department, Government of NCT of Delhi, dated 2nd November, 2018, certifying that he belongs to the OBC category and does not fall within the creamy layer as specified in Column 3



of the Schedule appended to the Government of India, Department of Personnel and Training.

4. The Petitioner has, in fact, also obtained another certificate dated 22nd April, 2025, titled '*Non-Creamy Layer Certificate*', which makes reference to the earlier certificate dated 2nd November, 2018, and reiterates that the Petitioner belongs to the Non-Creamy Layer category. The validity of this certificate is stated to be for the Financial Year 2023–24.

5. In this backdrop, the question that arises for consideration is the requirements specified in the vacancy notice, particularly the financial year to which such OBC-NCL is required to relate. In this regard, the Court has queried Mrs. Avnish Ahlawat, SC (GNCTD), as to whether the vacancy notice specifies the financial year. Since the vacancy notice is not on record, Ms. Ahlawat seeks time to examine the issue and submits that a counter-affidavit shall be filed explaining the Respondents' position. She further submits that instructions would also be required as to whether, subsequent to the cancellation of the Petitioner's candidature, any candidate has been appointed against the said post.

6. For the purpose of interim directions, list on 12th January, 2026.

SANJEEV NARULA, J

JANUARY 8, 2026

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