



\$~30 to 32, 43, 58, 59

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

+ W.P.(C) 2601/2026

SANDHYA SALUJA

.....Petitioner

versus

WAPCOS LIMITED AND ANOTHER & ANR.

.....Respondents

With

W.P.(C) 2691/2026, W.P.(C) 2728/2026, W.P.(C) 3768/2026,
W.P.(C) 3843/2026 & W.P.(C) 3863/2026.

For Petitioners: Dr. Rakesh Gosain, Mr. Sanjiv Saluja and Ms. Shrieya Gosain, Advocates in Item 30. Mr. Vishal Arun Mishra, Ms. Rupali Panwar, Mr. Shubham Gupra, Mr. Avinash Kumar Singh, Advocates in Item 59. Ms. Rashmi Chopram Senior Advocate with Mr. Ravi Prakash, Mr. Giriraj Kaushal, Mr. Anurag Atulya, Mr. Shahrukh Qureshi, Ms. Purna Kant and Mr. Puneet Rathi, Advocates in Items 31,32,43.

For Respondents: Ms. Archana Kumari, GP for UOI in Item 30. Mr. Chetan Sharm, ASG with Mr. Tushar Sannu, Ms. Akanksha Vidyarthi, Mr. Amit Gupta, Mr. R.V. Prabhat, Mr. Shubham Sharma, Mr. Yash Wardhan Sharma, Mr. Naman and Mr. Akhilesh, Advocates for WAPCOS in Items 343,58,59, 30 to 32. Mr. Nishant Gautam, CGSC with Mr. Vineet Negi and Ms. Sheresa Shaji, Advocates in Item 31. Mr. Ashish K. Dixit, CGSC with Mr. Umar Hashmi, Mr. Gautam Yadav, Ms. Iqra Sheikh and Ms. Urmila Sharma, Advocates for UOI in Item



32.

Ms. Arunima Dwivedi, CGSC with Mr. Jitendra Kumar Tripathi, GP with Ms. Himanshi Singh and Ms. Monalisha Pradhan, Advocates for UOI in Item 59.

Mr. Nishant Gautam, SPC with Mr, Gaurav Patel, GP for UOI in Item 43.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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27.03.2026

1. Ms. Rashmi Chopra, senior counsel for the Petitioners, places reliance on the Guidelines governing engagement of contractual employees framed by WAPCOS Limited, which, *inter alia*, provide that suitable and efficient contractual employees who have rendered at least five years of service may be considered for regular appointment, subject to requirement, availability of vacancies, and suitability assessment, with the process stated to be at the discretion of the management. It is contended that several Petitioners have rendered long and continuous service ranging between 10 to 15 years yet have not been considered for regularisation. At the same time, it is pointed out that a large number of contractual employees have been regularised under the said policy. The grievance of the Petitioners is that they have not even been considered under the said framework, and no explanation has been forthcoming as to the basis for such differential treatment.

2. Mr. Chetan Sharma, ASG appearing for WAPCOS Limited, submits that, as reflected in the counter affidavit, approximately 190 contractual employees have indeed been regularised. He submits that such regularisation has been carried out in terms of the aforesaid policy, which vests discretion



in the management, and that the cases were considered in accordance with the applicable framework.

3. At this stage, however, there appears to be a lack of clarity as to the manner in which such discretion has been exercised. In particular, the Court would require a clearer picture of the procedure followed for considering and effecting regularisation of the said employees, whether any advertisement or notice was issued, the criteria adopted for selection, the process of evaluation undertaken, and whether any contemporaneous record, including minutes of meetings or recommendations of a selection committee, exists to demonstrate a transparent and structured decision-making process.

4. Accordingly, Respondents are directed to file an additional affidavit placing on record the mode and manner in which the aforesaid contractual employees were regularised, including relevant documents such as advertisements/notifications, criteria adopted, and minutes of meetings or recommendations, if any.

5. The Petitioners further contend that they were engaged against sanctioned posts and that vacancies in such sanctioned posts continue to exist. In this regard, Respondents shall also file an affidavit clarifying whether the Petitioners were working against sanctioned posts and indicating the number of sanctioned posts presently available, along with the position of vacancies, if any.

6. Let the aforesaid affidavits be filed before the next date of hearing, with advance copy to the counsels for the Petitioners.

7. Issue notice in W.P.(C) 3768/2026, W.P.(C) 3843/2026 and W.P.(C) 3863/2026. Mr. Nishant Gautam, CGSC for Union of India, and Mr. Tushar



Sanu, CGSC for WAPCOS Limited, accept notice.

8. It is directed that the counter affidavit already filed by the Respondents in W.P.(C) 2691/2026 shall be treated as the counter affidavit in the aforesaid petitions as well. Rejoinder thereto, if any, be filed before the next date of hearing.

9. In the meantime, the interim directions passed *vide* order dated 27th February, 2026, shall continue to operate till the next date of hearing. The said directions shall also apply *mutatis mutandis* to W.P.(C) 3843/2026 and W.P.(C) 3863/2026.

10. List on 08th April, 2026.

SANJEEV NARULA, J

MARCH 27, 2026

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