



2026:DHC:5874-DB



2026:DHC:5874-DB

\$~73 to 75

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

+ W.P.(C) 2195/2019

SONU KUMAR

.....Petitioner

Through: Mr. Ashutosh Thakur, Mr.
Abhishek Pandey, Mr. Chandra Pratap and
Mr. Amit Kumar, Advs.

versus

UNION OF INDIA & ORS

.....Respondents

Through: Mr. T. P. Singh, SPC

74

+ W.P.(C) 9954/2019 & CM APPL. 41210/2019

JYOTI KUMAR

.....Petitioner

Through: Mr. Ashutosh Thakur, Mr.
Abhishek Pandey, Mr. Chandra Pratap and
Mr. Amit Kumar, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. T. P. Singh, SPC

75

+ W.P.(C) 9958/2019 & CM APPL. 41238/2019

NAROTTAM KUMAR

.....Petitioner

Through: Mr. Ashutosh Thakur, Mr.
Abhishek Pandey, Mr. Chandra Pratap and
Mr. Amit Kumar, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE VINOD KUMAR



2026:DHC:5874-DB



2026:DHC:5874-DB

JUDGMENT (ORAL)
20.07.2026

%

C. HARI SHANKAR, J.

1. In response to an advertisement issued by the Staff Selection Commission¹ for recruitment to the various posts of Junior Hindi Translators, Junior Translators, Senior Hindi Translators and Hindi Pradhyapak, the petitioners applied. The examination was conducted on 15 June 2017 and 6 August 2017.

2. The petitioners were provisionally found eligible and called for document verification. At the stage of document verification, there candidature was cancelled.

3. Aggrieved thereby, the petitioners approached the Central Administrative Tribunal² by way of OA 2991/2018.

4. During the course of the proceedings in the Tribunal, it came to light that the petitioners' candidature was cancelled on the ground that they did not satisfy the essential prescribed educational qualifications for the aforesaid posts. These qualifications have been tabulated in the additional affidavit dated 23 December 2019, filed by the SSC, and read thus:

“Educational Qualification

Master's Degree of a recognized University in Hindi or English with English or Hindi as a compulsory or elective subject at degree

¹ “SSC” hereinafter

² “Tribunal” hereinafter



2026:DHC:5874-DB



2026:DHC:5874-DB

level;

OR

Bachelor's degree with Hindi and English as main subjects (which includes the term compulsory or elective)

Note: Candidates must ensure that they have studied English and Hindi as main subjects in all the three years of B.A. pass course.”

5. It appears that a query was raised by the SSC to a committee constituted by it to provide clarifications in respect of the examination relating to the aforesaid requirement. The relevant query posed by the SSC, and the recommendation of the committee in response thereto, with which we are concerned, read thus:

Queries raised by the Commission	Recommendations of the Committee
As per note given in the RR, Candidates must ensure that they have studied English and Hindi as main subjects in all the three years of B.A. Pass Course.	Study of English or Hindi in one semester or one year at Degree level is enough to fulfill this EQ requirement.
If, a candidate has BA (Hon.) in Hindi or English, in such cases, whether study of English and Hindi as main subjects in all the three years of B.A. Pass course is necessary?	<i>The candidate must have studied English and Hindi as main subjects in all the three years of B.A. Pass Course/ BA (Hon.) Course.</i>

6. The Tribunal has, in the impugned order, placed reliance on the Note below the prescribed educational qualifications and the recommendations of the committee constituted by the SSC to hold that studying English and Hindi as the main subjects in all three years of the Bachelor's Degree Course was mandatory irrespective of whether the course was a B.A. Pass Course or BA (Hon.) Course. The petitioners in WP (C) 2195/2019 and WP (C) 9958/2019 were BA (Hon.) English students whereas the petitioner in WP (C) 9954/2019



2026:DHC:5874-DB



2026:DHC:5874-DB

was a BA (Hon.) Hindi student. In the case of BA (Hon.) English Course, Hindi was taught as an elective subject for two of the three years of the course and in the case of BA (Hon.) Hindi Course, English was taught as an elective subject in one year of the course.

7. On the reasoning that the petitioners had not studied English or Hindi in all three years of the course, the Tribunal has, by judgment dated 19 December 2018, dismissed the OA.

8. Aggrieved thereby, the candidates have filed the aforesaid three individual writ petitions.

9. We have heard Mr. Amit Kumar, learned Counsel for the petitioners and Mr. T.P. Singh, learned SPC for the respondents, at length.

10. The issue, to us, is elementary.

11. The query posed by the Commission, and the recommendations of the committee thereto, needless to say, have to yield place to the actual wordings of the prescribed educational qualifications. In so far as the Bachelor's Degree qualifications are concerned, the requirement of studying English and Hindi as a main subject in all three years of the course, as per the note in the rules, *applies only to B.A. Pass Courses*. The students who have studied B.A. (Hons.) courses are governed by the main body of the prescribed educational qualification and not by the Note which follows thereunder.



2026:DHC:5874-DB



2026:DHC:5874-DB

12. The prescribed educational qualification in the case of Bachelor's Degree students as envisaged in the main body of the prescribed educational qualifications only requires the students to have either Hindi or English as the main subject *which includes compulsory as well as elective*. As such, if the subject is taught even at an elective level, it would be treated as if the subject were to be taught as the "main subject".

13. In the case of each of these petitioners, one of the subjects English/Hindi was taught as the main subject and the other was taught at the elective level. Applying the Rule, therefore, each of these petitioners possess Bachelor's Degree with Hindi and English as main subjects, as the subject, even if studied at an elective level would, by the deeming fiction contained in the rule, be treated as having been studied as a main subject.

14. In that view of the matter, the recommendation by the Committee clearly misreads the applicable Rule and the applicable educational qualifications and could not, therefore, have been relied upon by the Tribunal.

15. Mr. Singh, appearing for the respondents, submits that there is no post vacant in which the petitioners could be accommodated. He has drawn our attention to para 16 of the additional affidavit filed by the respondents on 23 December 2019, in which it is stated that there was no post vacant after allocation.

16. We are not inclined to accept this as a ground to deny relief to



2026:DHC:5874-DB



2026:DHC:5874-DB

the petitioners for the simple reason that, in each of these writ petitions, there is an order passed by the Division Bench, at the time of issuing notice, directing that a post be kept vacant for each of these petitioners. At no stage was any application moved before this Court to modify or vacate the said order.

17. In that view of the matter, we reject the submission of Mr. Singh that no relief can be granted to the petitioners as no post was kept vacant.

18. We, therefore, are of the opinion that the Tribunal erred in the view it took. The petitioners clearly possessed the qualifications prescribed in the advertisement.

19. Resultantly, the impugned order passed by the Tribunal is quashed and set aside. The petitioners' cases shall be processed further on the basis that they qualified the prescribed educational qualifications.

20. The writ petitions stand allowed in the aforesaid terms with no orders as to costs.

C. HARI SHANKAR, J

VINOD KUMAR, J

JULY 20, 2026

AR/CD