



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
118+122

Date of decision: 15.07.2026

1. CWP-15967-2026 (O&M)

Divyanshi and others
.....Petitioners
Versus
State of Haryana and others
.....Respondents

2. CWP-18671-2026 (O&M)

Lokesh
.....Petitioner
Versus
State of Haryana and others
.....Respondents

3. CWP-19888-2026 (O&M)

Jaideep and others
.....Petitioners
Versus
State of Haryana and others
.....Respondents

4. CWP-19920-2026 (O&M)

Vivek Kumar and others
.....Petitioners
Versus
State of Haryana and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sarthak Gupta, Advocate
and Mr. Ankur Goyat, Advocate
for the petitioner(s) in CWP Nos.15967 and 19920 of 2026.

Mr. Sumit Sangwan, Advocate
for the petitioner in CWP-18671-2026.

Mr. Shreenath A. Khemka, Advocate



for the petitioners in CWP-19888-2026.

Mr. Rahul Dev Singh, Addl. A.G., Haryana.

Mr. Kanwal Goyal, Advocate
for the respondent/HPSC
in CWP Nos.15967 and 18671 of 2026.

Ms. Sheena Goyal, Advocate
for the respondent/HPSC in CWP-19888-2026.

Ms. Harpriya Khaneka, Advocate (through V.C.)
and Ms. Richa Tayal, Advocate
for the respondent/HPSC in CWP-19920-2026.

HARPREET SINGH BRAR J. (Oral)

1. With the consent of all the parties, the aforementioned writ petitions are taken up together and are being decided by this common judgment. For the sake of convenience, facts are taken from CWP-15967-2026.

2. Prayer in the writ petition (CWP-15967-2026) filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing the Advertisement No.63 of 2024 dated 02.08.2024 (Annexure P-1), as well as the consequent result of the Subject Knowledge Test dated 11.05.2026 (Annexure P-5) declared by respondent No.2. Further a writ of *mandamus* has been sought, directing the respondents to conduct the recruitment strictly in accordance with the UGC Regulations, 2018.

3. Learned counsel for the petitioners has, *inter alia*, contended that the respondent-Commission issued an Advertisement No.63/2024 dated 02.08.2024, inviting applications for 85 posts of Assistant Professor (Psychology). The petitioners being fully eligible,



applied for the said posts and duly participated in the recruitment process. The Screening Test for Psychology was conducted on 21.12.2025, and the result thereof was declared on 19.02.2026, wherein the petitioners successfully qualified and were shortlisted for the Subject Knowledge Test (SKT). The Subject Knowledge Test was, thereafter, conducted on 22.03.2026, however, upon declaration of the Subject Knowledge Test result on 11.05.2026, only 03 candidates were declared qualified against 85 advertised vacancies. Learned counsel for the petitioners has further argued that Advertisement No.63/2024 is legally unsustainable as its examination structure directly contravenes Clause 4.0 and Appendix II, Table 3B of the UGC Regulations, 2018, which mandate that for the post of Assistant Professor in Colleges, shortlisting of candidates must be done strictly on the basis of "Academic Score" and the final selection shall be based "only on the performance in the interview."

4. Learned counsel for the petitioners has further contended that the issue involved in the present petition is squarely covered by the principles laid down by the Hon'ble Supreme Court in ***Pranav Verma v. Registrar General of the High Court of Punjab and Haryana, (2020) 15 SCC 377***, wherein the Court disapproved an evaluation process resulting in a disproportionately high rate of failure due to unduly strict assessment. He has further submitted that the declared result had defeated the constitutional mandate of reservation under Article 16 of the Constitution of India, as not a single candidate belonging to the SC,



BCA, BCB or EWS categories was declared successful in the subjective examination.

5. Learned counsel for the petitioners has further submitted that on 12.05.2026, i.e. immediately after the declaration of the impugned result, this Court in **CWP-661-2026** along with connected matters, titled as ***Asha Rani & Ors. v. State of Haryana*** (Annexure P-6), has categorically declared the State Memorandum dated 11.11.2022 to be ultra vires the UGC Regulations, 2018, and consequently quashed the Advertisement No.48/2024 (English), which formed part of the same composite advertisement process. This Court has further held that the selection scheme prescribed under the said memorandum and the consequential selection procedure framed thereunder, were legally unsustainable as they were contrary to Regulations 4, 5 and 6 of the UGC Regulations, 2018.

6. Learned counsel for the petitioners has further argued that Advertisement No.63/2024 has its genesis in the very same Memorandum dated 11.11.2022 and incorporates an identical selection mechanism, which already stands declared unlawful by this Court and as such, the entire selection process arising out of Advertisement No. 63/2024 is inherently vitiated, *void ab initio* and liable to be set-aside on the principle of complete parity with the petitioners in ***Asha Rani's case (supra)***.

7. Learned counsel for the petitioners has further argued that the petitioners are not estopped from questioning the legality of the



selection process merely because they participated therein. In this regard, reliance has been placed upon the judgment rendered by the Hon'ble Supreme Court in ***Dr. (Major) Meeta Sahai v. State of Bihar, (2019) 20 SCC 17***, wherein it has been held that participation in a selection process does not bar a candidate from challenging a process which is fundamentally illegal.

8. *Per contra*, learned counsel for the State and the respondent/Commission opposes the submissions made by learned counsel for the petitioners. Learned counsel for respondent/Commission have argued that the Haryana Public Service Commission is well within its statutory and administrative powers has prescribed a written examination comprising the Screening Test and Subject Knowledge Test (SKT) for the purpose of shortlisting and assessing the comparative merit of a large number of candidates applying for the academic posts. Learned counsel for respondent/Commission have further submitted that the eligibility conditions, minimum qualifying marks and various stages of the selection process were clearly prescribed in Advertisement No.63/2024 dated 02.08.2024, and the petitioners participated in the selection process without raising any objection at the relevant stage. It is further contended that the petitioners, having participated in the selection process, cleared the Screening Test, and thereafter, failed to secure the prescribed minimum qualifying marks of 35% in the Subject Knowledge Test, cannot now be permitted to challenge the validity of



the impugned advertisement, the selection criteria or the evaluation process.

9. Learned counsel for the respondent/Commission have further argued that since the petitioners participated in the selection process after accepting its terms and conditions, they cannot challenge the same after being unsuccessful. It is further submitted that the high rate of failure in the Subject Knowledge Test, by itself, cannot be a ground to invalidate the selection process, as it merely reflects the rigorous standards adopted by the respondent/Commission to ensure the selection of suitable candidates for appointments in the field of higher education.

10. I have heard learned counsel for the parties and perused the record with their able assistance.

11. The controversy involved in the present petition is no longer *res integra*. This Court in **CWP-19612-2026** titled as ***Renu Kumari Rohal v. State of Haryana and others***, decided on **03.07.2026**, dealt with a similar challenge to Advertisement No.43 of 2024 for the post of Assistant Professor (Chemistry) involving an identical selection scheme under the same Memorandum dated 11.11.2022 and the framework of the UGC Regulations, 2018. The relevant observations recorded in the said judgment, in brief form, are reproduced hereunder:

7. It is well settled that a candidate who knowingly participates in a selection process with full knowledge of the prescribed procedure, criteria and terms of the



advertisement cannot subsequently challenge the same merely because the result is unfavourable. Participation without protest amounts to acquiescence and the candidate cannot be permitted to approbate and reprobate.

8. *Having voluntarily participated in the process, the petitioner is estopped from questioning the selection procedure on grounds which were available at the time of participation, as entertaining such challenges would undermine the finality of the recruitment process.*

9. *Though reliance has been placed upon **Dr. (Major) Meeta Sahai vs. State of Bihar and others, (2019) 20 SCC 17**, the Hon'ble Supreme Court in **Mohit Kumar vs. State of U.P., 2025 SCC OnLine SC 1125**, after considering **Meeta Sahai (supra)**, has clarified that where a candidate knowingly participates in a recruitment process without raising any objection despite having the opportunity to do so, such challenge ordinarily cannot be entertained unless the illegality was incapable of being foreseen or amounted to a constitutional violation.*

10. *In the present case, the petitioner had full knowledge of the applicable UGC Regulations and the selection procedure at the stage of issuance of the advertisement, yet chose to participate and approached this Court only after being declared unsuccessful. The alleged illegality was neither unforeseen nor incapable of challenge at the relevant stage.*

11. *The aforesaid principle has also been reiterated by the Hon'ble Supreme Court in **Rekha Sharma vs. The Rajasthan High Court, Jodhpur and another, 2024 INSC 615**. The same view has consistently been followed in **Ranjan Kumar vs. State of Bihar and others, (2014) 16 SCC 187; Madras Institute of Development Studies and***



another vs. Dr. K. Sivasubramaniyan and others, (2016) 1 SCC 454; Union of India and others vs. S. Vinodh Kumar and others, (2007) 8 SCC 100; Sadananda Halo and others vs. Momtaz Ali Sheikhand and others, (2008) 4 SCC 619; and State of Uttar Pradesh vs. Karunesh Kumar and others, 2022 SCC OnLine SC 1706.

12. Consequently, a challenge by an unsuccessful candidate to the advertisement or the prescribed selection process is not maintainable in the facts of the present case.

13. The State adopted the UGC Regulations vide memo dated 11.11.2022 with certain modifications. However, the petitioner has not challenged the validity of the said memo. In **Dhani Ram Chaudhary vs. State of Haryana and another, 2005 (1) SCT 571**, this Court held that where the governing rule itself is not challenged, it is presumed to have been accepted by the petitioner.

14. Similarly, in **State of Rajasthan vs. Sanyam Lodha, (2011) 13 SCC 262**, the Hon'ble Supreme Court held that in the absence of a challenge to the validity of the governing rule, the Court ought not to read down or modify the same.

15. Therefore, in the absence of any challenge to the memo dated 11.11.2022, the relief sought by the petitioner cannot be granted.

16. The UGC Regulations framed under the University Grants Commission Act, 1956 prescribe minimum standards under Entry 66 of List I, while Entry 25 of List III enables the State to legislate on education subject to the constitutional scheme.

17. The additional Screening Test and Subject Knowledge Test introduced by the State merely enhance the scrutiny while maintaining the minimum standards



prescribed under the UGC Regulations. The decision in Mandeep Singh and others vs. State of Punjab and others, 2025 INSC 834, turned on dilution of UGC standards and is distinguishable.

18. *The UGC Regulations prescribe only the minimum benchmark. They do not prohibit the State from prescribing higher standards, provided the minimum standards are not diluted.*

19. *The impugned selection process supplements, rather than supplants, the UGC Regulations by introducing additional stages intended to secure greater merit without altering the prescribed minimum eligibility.*

20. *The Constitution Bench judgment in **Dr. Preeti Srivastava vs. State of Madhya Pradesh, (1997) 7 SCC 120**, recognizes that the State may prescribe qualifications or standards higher than those prescribed by the Union so long as the minimum standards are not diluted.*

21. *Likewise, in **State of Tamil Nadu and another vs. Adhiyaman Education & Research Institute and others, (1995) 4 SCC 104**, the Hon'ble Supreme Court held that while State legislation cannot dilute Central standards, it is permissible to prescribe higher standards or qualifications for shortlisting where the circumstances so warrant.*

22. *The additional stages of scrutiny prescribed by the recruiting authority merely render the selection process more rigorous and cannot be regarded as repugnant to the UGC Regulations or violative of Article 254 of the Constitution.*

23. *It is always open to the employer to evolve a rational procedure for selecting the best candidates. In **Madhya Pradesh Public Service Commission vs. Navnit***



Kumar Potdar, 1994 INSC 398, the Hon'ble Supreme Court recognized that screening or shortlisting is permissible where a large number of candidates apply for limited vacancies.

24. The same principle has recently been reiterated in Allahabad University vs. Geetanjali Tiwari (Pandey) etc., 2025 AIR SC 195, wherein it was held that enhanced norms for restricting the zone of consideration are permissible, provided they are neither arbitrary nor contrary to the governing statutory provisions.

25. Consequently, conducting a Screening Test or Subject Knowledge Test does not violate the UGC Regulations, and the State Government is competent to prescribe higher or more rigorous standards in furtherance of merit, so long as the minimum standards prescribed under the UGC Regulations are not diluted.

12. Now advertent to the facts of the present case, the petitioners participated in the selection process under Advertisement No.63/2024 with full knowledge of the prescribed criteria. After qualifying the Screening Test, they failed to clear the Subject Knowledge Test and thereafter, challenged the selection process only after being declared unsuccessful. The petitioners' reliance on **Asha Rani's case (supra)** cannot be accepted as this issue has already been considered and decided by this Court in **Renu Kumari Rohal's case (supra)**, wherein it was held that the State is competent to prescribe additional screening tests. It is also not disputed that the petitioners have not challenged the State Memorandum dated 11.11.2022, which forms the basis of the impugned advertisement. The additional screening tests



only supplement the UGC Regulations and do not dilute the minimum standards prescribed therein.

13. In view of the foregoing discussions and the settled legal position, this Court finds no ground to interfere with the impugned advertisement or the selection process conducted thereunder. The contentions raised by the petitioners are devoid of merit and are accordingly rejected. Consequently, all the present writ petitions stand dismissed.

14. Pending miscellaneous application(s), if any, also stands disposed of.

15. A photocopy of this order be placed on the file of other connected cases.

(HARPREET SINGH BRAR)
JUDGE

15.07.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No