



2025:DHC:5983-DB



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

Date of decision: 22.07.2025

+ LPA 762/2024 & CM APPL. 45100/2024, CM APPL. 45101/2024

MOHAMMAD INAMUL HAQ

.....Appellant

Through: Mr.V K Mishra, Ms.Dipti
Mishra, Advs

versus

THE UNIVERSITY OF DELHI & ORS.

.....Respondents

Through: Mr.Girindra Kumar Pathak,
Adv for R-2
Mr.Anuray Atulya, Adv for
R-3

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

1. This appeal has been filed challenging the Judgment dated 21.05.2024 passed by the learned Single Judge of this Court in W.P.(C) 5034/2024, titled ***Mohammad Inamul Haq v. University of Delhi & Ors.***, dismissing the Writ Petition filed by the appellant herein, along with costs of Rs.15,000/-, to be paid by the petitioner to the Delhi High Court Legal Services Authority.

2. The appellant, by way of the above Writ Petition, had challenged the recruitment notification dated 06.03.2023 issued by the



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respondent no.2, appointing the respondent no.3 to the post of Assistant Professor for Philosophy in the respondent no.2 college. The appellant claims that the respondent no.3 has wrongly been granted the benefit of being an OBC candidate.

3. The learned counsel for the appellant submits that in terms of Entry 83 of the Central List of OBC for the State of Bihar, only the sub-category of 'Sinduria-Bania' is recognized as an OBC. He submits that the respondent no.3 earlier had a certificate which only stated that she belongs to the 'Bania' community; and later, she obtained a certificate, which stated that she belongs to the Bania-Modi community. He submits that, therefore, the respondent no.3 does not fall within Clause 83 of the Central List of OBC for the State of Bihar and had wrongly been issued the certificate for the same.

4. We have considered the submissions by the learned counsel for the appellant, however, we find no merit in the said contentions.

5. As has been noted by the learned Single Judge in the Impugned Judgment, in the presence of the certificate issued by the State of Bihar certifying that the respondent no.3 belongs to the OBC category at serial no. 83 of the Central List of OBC for the State of Bihar, and there being no challenge to the said certificate, no fault could have been found with the respondent no.2 in relying upon the same and granting employment to the respondent no.3 on the basis thereof, extending her the benefit of being an OBC candidate.

6. The appellant has also placed reliance on the Judgment dated 30.01.2018 of the High Court of Judicature at Patna in Civil Writ Jurisdiction Case No. 4133/2016, titled *Deepti Barnwal v. The State*



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of Bihar & Ors. However, we find that the said judgment will not be applicable to the facts of the present case, as in the said case, the High Court was considering whether the Barnwal community would fall within Clause 83 of the Central List of OBC candidates. The respondent no.3 is not claiming herself to be belonging to the Barnwal community and, therefore, the judgment will have no application.

7. In view of the above, we find no merit in the present appeal. The same is dismissed. However, the cost imposed by the learned Single Judge is set aside.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

JULY 22, 2025/rv/VS