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

Date of Decision: 14th September, 2026

CNR No. DLHC010082542024

+ **W.P.(C) 2632/2024 & CM APPLs. 10841-10842/2024, 72352/2024**

SHIKHA SINGH

.....Petitioner

Through: Mr. Ankur Chhibber, Senior Advocate with Ms. Abiha Zaidi, Mr. Arvan S., Mr. Ronit Rampuriya and Mr. Nikunj Dayal, Advocates.

versus

TELECOMMUNICATIONS CONSULTANTS INDIA LIMITED

.....Respondent

Through: Mr. S.K. Gupta, Dr. Vivek Singh and Ms. Avika Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

JUDGMENT

SANJEEV NARULA, J. (Oral):

The controversy

1. The Petitioner joined Telecommunications Consultants India Limited¹ in December 2006. In the seventeen years that followed, she was confirmed in service, received successive promotions and rose to the position of Joint General Manager. In January 2024, TCIL declared her original appointment and all subsequent promotions void *ab initio* and terminated her services on

¹ "TCIL"



the ground that the Master of Computer Management² qualification on which she had been appointed was not recognised under the University Grants Commission Act, 1956. The Petitioner challenges that decision. The case is unusual because there is no allegation that her degree was forged or that she did not possess the qualification she had declared; MCM was, in fact, one of the qualifications expressly prescribed by TCIL in its own advertisement. The principal question is whether, in these circumstances, TCIL could invoke Clause 10 of the original appointment letter to terminate a confirmed employee after seventeen years of service, or whether it was required to proceed under the service and disciplinary framework which had by then come to govern her employment.

The facts

2. The controversy goes back to the educational qualification on the basis of which the Petitioner entered service. The advertisement issued by TCIL in 2006 expressly included MCM amongst the prescribed qualifications. The relevant requirement was:

“Graduate in any discipline and MBA (with specialization in IT)/ Masters in Management Studies (with specialization in IT)/ Master of Computer Management/ Master of IT/ Master of Computer Application or equivalent from recognised university.”

TCIL’s termination order itself reproduces the qualification in these terms.

3. The Petitioner possessed an MCM qualification awarded through Savitribai Phule Pune University, then known as Pune University. The material on record shows that the course was undertaken at Bharati Vidyapeeth’s Institute of Management and Entrepreneurship Development. There is no dispute that the Petitioner actually studied the course, passed the

² “MCM”



examination and was issued the qualification by the University. This factual aspect assumes some significance for reasons which will appear later.

4. Upon selection, TCIL issued an offer of appointment dated 8th December, 2006. Clause 10 of that offer, on which the entire action of TCIL ultimately rests, reads:

“The offer of appointment is liable to be withdrawn at any point before joining and if joined is liable for termination without any notice if TCIL comes across any evidence/knowledge that the qualification, experience and any other particulars indicated by you in your application/personal resume/other forms/formats are un-recognized, false, misleading, not matching the advertised specifications and/or suppression of information/particulars which should have been brought to the notice of TCIL.”

5. The appointment letter also dealt separately with probation and confirmation. The Petitioner was to remain on probation for one year. Upon satisfactory completion of probation, she was to be confirmed in writing. The letter then stated that, after confirmation, the services could be terminated upon three months’ notice or salary in lieu thereof.

6. The Petitioner was thereafter confirmed. What followed is also not in dispute. She received successive promotions and eventually came to occupy the position of Joint General Manager. The order dated 22nd January, 2021 records her confirmation as JGM with effect from 25th October, 2020.

7. The qualification issue was not discovered for the first time in 2023. It had arisen much earlier. In 2015, TCIL’s Vigilance Division undertook an investigation into the Petitioner’s appointment and promotions and corresponded with the UGC, AICTE, and Pune University.

8. One of the documents related to that exercise is a communication dated 25th August, 2015 from Savitribai Phule Pune University. It deserves



to be noticed because both sides rely upon it, though they read it differently.

The University informed TCIL:

“MCM course is approved by the All India Council for Technical Education (AICTE). AICTE, vide its letter dated 31.3.1994 has accorded approval to Bharati Vidyapeeth’s Institute of Management and Entrepreneurship Development to conduct MCM Course, from the academic year 1994-95 onwards. Pursuant to the said approval of AICTE, the Government of Maharashtra, vide its letter dated 21.7.1994, has also granted permission to the said Institute to conduct MCM course from the academic year 1994-95. Copies of the AICTE letter according approval and the Government letter granting permission to conduct MCM course are annexed hereto.”

It then stated:

“After publication of the U.G.C. Notification regarding specification of degrees in the Gazette of India dated 5.7.2014, the University has issued a Circular No. 104/2015 dated 22.6.2015 regarding the nomenclature of degree to be awarded by the University and changed the nomenclature of MCM degree as MBA (Information Technology) w.e.f. the academic year 2015-16.”

9. TCIL reads this communication as showing that MCM lacked recognition and was thereafter discontinued. The Petitioner points out, with some justification, that the University did not say that the course was closed because recognition had been refused. What it said was that the nomenclature was changed after the 2014 UGC notification. TCIL’s pleadings describe that change as closure of MCM after failure to obtain recognition. That is not the language used by the University.

10. The investigation nevertheless did not result in termination at that stage. TCIL’s case is that the complete adverse findings of the Vigilance Division were not placed before its Board and that the Board was subsequently presented with partial or distorted facts. According to TCIL, it was on that basis that the Petitioner was promoted and MCM came to be included in the promotion policy. The Petitioner disputes this account. For



the present purpose, the important fact is that the qualification issue was known to the organisation and had been formally examined in 2015; despite that, the employment continued, and further promotions and confirmations followed.

11. Matter was reopened in 2023. On 1st December, 2023, TCIL issued a communication titled “Opportunity to explain invalidity of educational qualification”. It stated that although the MCM course had been approved by AICTE, it was not recognised by UGC and that the Petitioner’s appointment therefore “needs to be reviewed”. She was given ten days to produce material showing that MCM was a recognised degree and that she fulfilled the essential qualification at the time of appointment.

12. The Petitioner submitted a detailed response on 11th December, 2023. She relied, *inter alia*, upon the advertisement itself, her qualification, the correspondence with the University, the earlier Vigilance exercise and the successive promotions granted thereafter.

13. On 2nd January, 2024, TCIL rejected the explanation. The order held:

“Your employment in TCIL to the post of Asst Manager (Training Coordinator) IT dated 08-12-2006 and subsequent promotions granted till date are held void ab initio.”

It then directed:

“Your service in TCIL is hereby terminated with immediate effect i.e. from 02-01-2024 under clause ‘10’ of your offer of appointment.”

At the same time, TCIL directed payment of three months’ salary in lieu of notice and decided not to recover salary paid for the services already rendered.

14. The Petitioner sought review before the Board. The Board rejected the



representation. Its reasons are relevant because the decision went beyond the abstract question whether MCM was a degree specified under Section 22 of the UGC Act. It also recorded:

“your conduct in this respect has not been very commendable as can be seen in you not fulfilling the undertaking given in 2006, not submitting the certificate until 2015, knowing fully well that MCM does not find mention in recognized bracket of TCIL qualifications and still pressing for your promotions at different times.”

That part of the order will assume significance when we consider TCIL’s submission that the action was wholly non-disciplinary.

15. Mr. Ankur Chhibber, Senior Counsel for the Petitioner, submits that Clause 10 could not be used in 2024 as a stand-alone source of power to summarily remove a confirmed employee after seventeen years of service. His submission is that, once the Petitioner had acquired confirmed status and had become subject to TCIL’s Conduct, Discipline and Appeal Rules, allegations which carry with them imputations of false information, suppression or blameworthy conduct could only be determined through the procedure prescribed by those Rules.

16. He also questions TCIL’s conclusion on the qualification itself. MCM was one of the degrees expressly mentioned in TCIL’s advertisement. The course had AICTE approval; it was conducted through a recognised statutory university; the University has never disowned the qualification; and its own communication speaks of a subsequent change in nomenclature rather than of a fictitious or non-existent course. Considerable emphasis is also placed upon TCIL’s conduct after the 2015 investigation.

17. Mr. S.K. Gupta, counsel for TCIL, contests both submissions. Its primary case is that Section 22(3) of the University Grants Commission Act,



1956 permits only degrees specified by the UGC and that MCM was not one of those degrees. An essential qualification was therefore absent at inception, and neither length of service nor promotions could cure that foundational defect. Reliance is placed upon *Prof. Yashpal v. State of Chhattisgarh*³, and other decisions dealing with appointments made without essential qualifications.

18. On procedure, he argues that TCIL places Clause 10 at the centre of its case. Its counter affidavit leaves no ambiguity about the width of the proposition advanced. TCIL says:

“The application of clause 10 is independent of any suppression or misleading information by the Petitioner. Clause 10 of the appointment letter provides termination of appointment on finding out if the educational qualifications are unrecognized, and as such, no imputation of any wrongdoing needs to be established against the Petitioner.”

It further states that no disciplinary proceeding was initiated at any stage and that the termination rests entirely upon the terms of the appointment letter.

19. This brings us to the real issue. It is narrower than the arguments addressed on the validity of the MCM degree. Clause 10 undoubtedly contemplated action even after an employee had joined TCIL. The words “if joined” cannot simply be ignored. We would therefore not accept the Petitioner’s argument if it is understood to mean that confirmation permanently disabled TCIL from ever revisiting a foundational defect in her initial eligibility.

20. But that is only one part of the matter. There is a difference between the right to act upon a defect which subsequently comes to light and the procedure by which the existence and consequences of that defect are

³ (2005) 5 SCC 420



determined after the employee has become a confirmed regular employee. TCIL's counter affidavit treats the two as one. In our view, they are not.

21. The distinction matters here because the Petitioner was not on probation when the impugned order was passed. Nor was she a temporary or contractual employee whose engagement had reached its end. By January 2024 she had been in regular service for about seventeen years and had passed through several stages of promotion and confirmation.

22. TCIL's own HR Manual recognises the distinction. The Conduct, Discipline and Appeal Rules apply to all employees save the categories specifically excluded by Rule 2. The Petitioner does not fall within the stated exceptions.

23. Rule 5 identifies the acts which constitute misconduct. Clause (4) is particularly relevant:

"Furnishing false information regarding name, age, father's name, qualification, ability or previous service or any other matter germane to the employment at the time of employment or during the course of employment."

24. Rule 23 then provides that penalties may be imposed "for misconduct committed by him or for any other good and sufficient reasons". Removal and dismissal are expressly classified as major penalties.

25. Rule 25 is unambiguous:

"No order imposing any of the major penalties specified in clause (f), (g), (h), (i) and (j) of Rule 23 shall be made except after an inquiry is held in accordance with this rule."

The next sub-rule contemplates an inquiry into the truth of an imputation of misconduct or misbehaviour:

"Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an employee, it may itself enquire into, or appoint any



public servant or a retired public servant (hereinafter called the inquiring authority) to inquire into the truth thereof.”

26. The Rules themselves recognise situations in which an inquiry may be dispensed with. Rule 30 permits the special procedure where an employee has been convicted on a criminal charge, where it is not reasonably practicable to hold an inquiry for reasons recorded in writing, or where the Board considers an inquiry inexpedient in the interest of the security of the Company. None of these exceptions was invoked here.

27. There is therefore no vacuum in the service framework. Even TCIL’s contention that absence of the requisite qualification need not involve moral wrongdoing does not answer the point. Rule 23 is not confined to misconduct; it expressly speaks of “any other good and sufficient reasons”. The Rules are wide enough to accommodate a case in which TCIL says that continued employment is impermissible because an essential qualification was never possessed.

28. Clause 10 and the CDA Rules must consequently be read together. Clause 10 may identify a circumstance in which TCIL is entitled to revisit an appointment. It cannot, after confirmation, be treated as a parallel code which displaces the service rules altogether.

29. There is nothing novel about that distinction. In ***Uptron India Ltd. v. Shammi Bhan***⁴, the Supreme Court emphasised that conferment of permanent status carries security of tenure and that the service of a permanent employee of a Government company or other Article 12 instrumentality cannot be abruptly terminated merely because the contract or standing orders contain a termination stipulation. The Court drew upon ***West***

⁴ (1998) 6 SCC 538



Bengal State Electricity Board v. Desh Bandhu Ghosh⁵, ***Central Inland Water Transport Corporation v. Brojo Nath Ganguly***⁶, and ***O.P. Bhandari v. ITDC***⁷.

30. The principle was considered at still greater length by the Constitution Bench in ***Delhi Transport Corporation v. DTC Mazdoor Congress***⁸. The Court emphasised that a public-sector employer, being subject to Article 14, cannot exercise an arbitrary and uncanalised power to terminate the services of a permanent employee without the procedural safeguards applicable to such employment.

31. The Court is not, on that basis, declaring Clause 10 void. The clause is materially different from the unrestricted “hire and fire” provisions considered in some of those decisions. It identifies specific defects, an unrecognised qualification, false or misleading particulars, departure from the advertised specification, or suppression. Properly understood, it preserves TCIL’s ability to take action when such a foundational defect comes to light. What it cannot do is remain, throughout the life of a confirmed employee’s career, a self-contained summary procedure unaffected by the service rules which govern that employee.

32. Put differently, the right to revisit the appointment may survive confirmation. The right to dispense with the applicable procedure does not necessarily travel with it.

33. The decisions in ***Kamal Nayan Mishra v. State of M.P.***⁹, and ***Avtar***

⁵ (1985) 3 SCC 116

⁶ (1986) 3 SCC 156

⁷ (1986) 4 SCC 337

⁸ 1991 Supp (1) SCC 600

⁹ (2010) 2 SCC 169



*Singh v. Union of India*¹⁰, are instructive on this distinction. In *Kamal Nayan Mishra*, the attestation form itself permitted termination without notice if information furnished by the employee was subsequently found false or incomplete. The Supreme Court nevertheless held that such a stipulation could not be invoked in that manner against a confirmed employee. The Court also noted that the authorities had been informed of the alleged incorrect information in 1995, but took no action for nearly seven years before terminating the employee in 2002.

34. *Avtar Singh*, decided by a three-Judge Bench, subsequently summarised the position in the context of suppression or furnishing of false information in a verification form. It held that, where an employee stands confirmed, a departmental inquiry would be necessary before termination, removal or dismissal on that ground. It further held that, before an employee can be held guilty of *suppressio veri* or *suggestio falsi*, knowledge of the relevant fact must be attributable to the employee.

35. Those cases arose in the context of civil posts and antecedent verification, and Article 311 was directly attracted in *Kamal Nayan Mishra*. We are therefore not transporting Article 311 into employment under TCIL. The relevance of the decisions lies in the distinction they recognise between a person at the threshold of employment and one whose employment has matured into confirmed status. In the present case that distinction is reinforced independently by TCIL's own CDA Rules and by Article 14, TCIL admittedly being an instrumentality of the State.

36. There is another difficulty with TCIL's position. It wishes to characterise the decision as a completely neutral consequence of an

¹⁰ (2016) 8 SCC 471



objectively invalid qualification. Had the decision remained confined to that premise, the argument might have stood on a somewhat different footing. But the orders do not stop there.

37. The Petitioner is faulted for not producing her final certificate in 2006, for not honouring an undertaking, for failing to establish recognition after the 2015 inquiry, for knowing of the problem and yet continuing to press for promotions. The Board expressly comments that her conduct was “not very commendable”.

38. These are not merely observations about the abstract legal status of a degree. They attribute knowledge, default and blameworthy conduct to the Petitioner. TCIL cannot rely upon those matters when explaining why the employment deserved to be brought to an end and, at the same time, say that no imputation was ever made when the employee invokes the safeguards attached to an inquiry.

39. There is no difficulty in stating the proposition the other way round as well. If TCIL wishes to rest its case purely upon the objective invalidity of the qualification, it must establish that foundational premise in accordance with law. If it wishes additionally to rely upon suppression, conscious withholding of material, breach of an undertaking or pursuit of promotions despite knowledge of ineligibility, those are matters on which the Petitioner is entitled to be heard in the manner contemplated by the disciplinary framework.

40. The history after 2015 makes a summary determination still more difficult to sustain. By then, TCIL had itself reopened the qualification issue, corresponded with the relevant statutory bodies and obtained the University’s clarification. Yet employment continued, and further



promotions and confirmations followed. TCIL explains this by saying that its Board was given incomplete or distorted material. That may ultimately be established. But there is no finding, reached after inquiry, that the Petitioner herself was responsible for the Board note, concealed the Vigilance report from the Board, or procured those institutional decisions by fraud.

41. Indeed, the fact that TCIL says its own internal processes were compromised is an additional reason why the matter required proper fact-finding. It is not a reason for dispensing with it.

42. We are also unable to accept TCIL's argument that the communication dated 1st December, 2023 and the Petitioner's written response supplied an equivalent procedure. The Board reasoned that the Petitioner must have appreciated that termination could follow because her reply referred to the consequences of losing employment. That may establish notice of the seriousness of the issue. It does not transform the exchange into an inquiry under Rule 25.

43. A notice requiring an employee to produce material within ten days to establish that her degree is recognised is not the same thing as framing an imputation, placing the relied-upon record before her, permitting her to contest the employer's factual allegations and holding the inquiry prescribed by the rules. Awareness that termination may follow is not a substitute for the procedure by which the facts warranting termination are to be established.

44. TCIL nevertheless relies upon a well-established line of authority that an employee who lacked an essential qualification cannot acquire a right to continue merely by passage of time. On this general proposition, TCIL is correct. In *Pramod Kumar v. U.P. Secondary Education Services*



*Commission*¹¹, reiterated in *State of Orissa v. Mamata Mohanty*¹², the Supreme Court held that absence of an essential qualification as per rules/advertisement is an illegality which cannot be cured at any stage as making appointment of such a person tantamounts to illegality, not irregularity.

45. Nor can there be an estoppel against the requirements of Section 22 of the UGC Act. *Prof. Yashpal* makes it clear that the mere fact that a university has conferred a degree does not, by itself, answer the question whether the degree is one recognised in terms of Section 22(3).

46. That is why we do not propose to decide this case on the footing that seventeen years of service, four promotions or repeated confirmations have somehow cured the qualification if it was legally incapable of satisfying Section 22. They cannot.

47. But the converse proposition advanced by TCIL goes too far. The moment an employer labels the original qualification invalid, the entire intervening service does not become irrelevant to how that conclusion may be acted upon. Long service does not legalise an illegal appointment; it may nevertheless determine the status of the employee and the procedural protection which has attached to that status.

48. We should at this point deal with one further strand of authority. There are cases where employment has been secured upon a credential which was demonstrably bogus, forged or fraudulent. Courts have understandably treated such cases differently.

¹¹ (2008) 7 SCC 153

¹² (2011) 3 SCC 436



49. In *Union of India v. M. Bhaskaran*¹³, the employees had secured railway employment on the strength of forged and bogus casual-labour service cards. Their unauthenticity had been established in departmental inquiries. The Supreme Court held that long service could create neither equity nor estoppel in favour of employment procured by fraud.

50. In *R. Vishwanatha Pillai v. State of Kerala*¹⁴, the foundation of the appointment was a false caste certificate. The competent Scrutiny Committee had examined the matter after affording an opportunity, and its finding of falsity had attained finality. The Court therefore treated the appointment itself as having been procured by fraud.

51. In *Indian Oil Corporation Ltd. v. Rajendra D. Harmalkar*¹⁵, the educational certificate produced by the employee was found, upon verification with the issuing board, to relate to another individual. The employer had issued a charge-sheet, conducted a departmental inquiry and afforded the employee an opportunity of being heard before imposing the punishment of dismissal. The Supreme Court held that production of a fake or forged educational certificate constituted grave misconduct and that the employee's otherwise good service record did not warrant interference with the punishment of dismissal.

52. More recently, in *Commissioner of Police v. Ex Ct. Vinod Kumar*¹⁶, the Supreme Court sustained the dismissal of a police constable whose appointment had been secured on the basis of a forged and fabricated degree/certificate. The Court noted that the issuing authority had

¹³ 1995 Supp (4) SCC 100

¹⁴ (2004) 2 SCC 105

¹⁵ Civil Appeal No.2911/2022, decided on 21st April, 2022.

¹⁶ Civil Appeal arising out of SLP(C) No.24705/2023, decided on 12th November, 2025.



categorically certified the certificate to be forged and fabricated, that the respondent had not rebutted its falsity, and that the appointment was to the police service. In the particular facts and circumstances of the case, the Court held that the absence of a departmental inquiry did not vitiate the order of dismissal.

53. The present case is not in that category.

54. The controversy here is of a different kind: whether the nomenclature “Master of Computer Management”, awarded by a statutory university in respect of a course which the University says had AICTE approval, satisfied the requirements of Section 22(3) of the UGC Act.

55. The Petitioner had actually pursued the said course. Pune University states that AICTE had approved MCM from academic year 1994-95 onwards. The University continued to award MCM and, following the later UGC notification of 2014, changed its nomenclature to MBA (Information Technology) prospectively from 2015-16. TCIL itself issued an advertisement expressly treating “Master of Computer Management” from a recognised University as an eligible qualification.

56. Thus, before us, no university has stated that the Petitioner’s degree certificate is forged. No issuing authority has disowned it. There is no allegation that she never studied MCM or that the marksheets were fabricated. Nor does the Petitioner describe herself as possessing some qualification which she did not possess.

57. Whether these circumstances lead to the conclusion contrary to what is contended by TCIL, must not be decided here as any opinion expressed by the Court is likely to prejudice either side. Nonetheless, this is not a case of fraud or fabrication in which the Court may simply say that nothing remains



to be inquired into.

58. The distinction is also reflected in the Supreme Court's recent decision in *Priyanka Kumari v. State of Bihar*¹⁷. There, while dealing with qualifications obtained from a university whose enabling legislation was subsequently declared invalid, the Court noted that the university was not bogus, that the appellants had in fact studied there and obtained their degrees, and that they could not be said to be at fault for the subsequent invalidation of the legislation. The facts in the said case, are different, and the decision does not answer the Section 22 objection raised before us. It does, nonetheless, illustrate why every controversy concerning recognition of an educational qualification cannot be assimilated to a case of a counterfeit certificate.

Conclusion

59. We therefore deliberately leave the legal status of the Petitioner's MCM qualification open. Nothing said in this judgment should be understood either as recognising the MCM degree for the purposes of Section 22 or as accepting TCIL's conclusion that it was necessarily invalid for all purposes. That question, if TCIL elects to pursue it, will have to be decided on the relevant statutory material and after giving the Petitioner the opportunity contemplated by the applicable service rules.

60. We cannot, however, accept the intermediate course adopted by TCIL: to decide the disputed issue conclusively against a confirmed employee, combine it with findings about her knowledge and conduct, declare seventeen years of employment and successive promotions void *ab initio*, and yet say that Clause 10 relieved it of the need to follow the



procedure governing removal of a regular employee.

61. Confirmation has to be accorded, if due. It does not make an unlawful appointment lawful. It does mean that an original condition of appointment cannot be kept alive indefinitely as a permanent trapdoor, capable of bypassing the service rules whenever the employer chooses to revisit a disputed event at the point of entry.

62. TCIL was therefore entitled to reopen the matter if it considered that a foundational illegality had escaped proper consideration. It was also entitled to take the view that neither its earlier officers nor its Board could validate what the statute prohibited. It was even entitled, if the material warranted it, to examine whether the Petitioner had withheld information or knowingly pursued promotions despite being aware of a defect in her qualification. What it was not entitled to do was treat all of those matters as conclusively established through a show-cause and its response and invoke Clause 10 as an alternative to its own disciplinary framework.

63. The payment of three months' salary in lieu of notice does not alter the character of the action. The order is not a termination *simpliciter*. It gives detailed reasons, declares the initial appointment and every subsequent promotion void, and is founded upon conclusions which go directly to the Petitioner's eligibility and conduct.

64. For these reasons, the order dated 2nd January, 2024, cannot be sustained. The decision communicated pursuant to the Board's review is consequentially unsustainable as well.

65. The writ petition is accordingly allowed. The order dated 2nd January, 2024 terminating the Petitioner's services and the subsequent order rejecting

¹⁷ 2026 INSC 167



her review are quashed. The Petitioner shall be reinstated in service within four weeks, with continuity of service for all purposes, including seniority and retiral benefits.

66. TCIL shall, however, be at liberty, if so advised, to initiate appropriate proceedings under its Conduct, Discipline and Appeal Rules in respect of the matters forming the basis of the impugned action. If such proceedings are initiated, the Petitioner shall be supplied the material relied upon, including the relevant Vigilance material, and shall be afforded the opportunity contemplated by the Rules. The competent authority will decide the matter independently and without treating any observation in this judgment on the merits of the MCM qualification as a concluded finding.

67. Having regard to the fact that the substantive issue concerning the qualification has deliberately been left open, we do not consider it appropriate to direct payment of back wages for the period during which the Petitioner remained out of service.

68. The petition and pending applications are disposed of in the above terms.

SANJEEV NARULA, J

SEPTEMBER 14, 2026

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