

ITEM NO.31

COURT NO.5

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 21330/2026

[Arising out of impugned final judgment and order dated 16-02-2026 in WPC No. 18349/2025 passed by the High Court of Delhi at New Delhi]

ABHISHEK SWAMI

Petitioner(s)

VERSUS

COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH & ORS. Respondent(s)

IA No. 174403/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 16-06-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

[PARTIAL COURT WORKING DAYS BENCH]

For Petitioner(s) Mr. Akash Swami, Adv.
Mr. Shashi Ranjan, Adv.
Mr. Akhilesh Tejpal, Adv.
Mr. Anil Kumar, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. Learned counsel for the petitioner contends that clause 5(A) of the advertisement which enables the authority to prescribe minimum threshold marks is dehors the recruitment rules.
2. We find the recruitment rules do not expressly prohibit fixation of minimum marks. It is one thing when the recruitment rules expressly prohibit the fixation of minimum marks and entirely different if they remain silent as in the present case. In the latter situation discretion remains with the authority concerned to

fix or not to fix minimum threshold marks.

2. Clause 5(A) of the advertisement therefore, cannot be held to run counter to the recruitment rules. The said clause is an enabling one empowering the authority to fix minimum threshold marks and such exercise being done prior to the examination itself has not prejudiced the petitioner.

3. We find no reason to interfere with the impugned order passed by the High Court. Accordingly, the Special Leave Petition is dismissed.

4. Pending applications, if any, shall stand disposed of.

(KANCHAN CHOUHAN)
SENIOR PERSONAL ASSISTANT

(CHETNA BALOONI)
COURT MASTER (NSH)