RAJASTHAN HIGH COURT
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HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Civil Writ Petition No. 23901/2026
CNR: RJHC010995622026 | URN: CW / 41241U / 2026

Rajasthan High Court
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Pooja Kacholiya D/o Govind Kacholiya, Aged About 30 Years, R/o 6-A-42, R.c. Vyas Colony, Bhilwara At Present 115, East Patel Nagar Circuit House Road, Ratanada Jodhpur Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Department Of College Education, Block Iv, Dr. S Radhakrishan Shiksha Sankul, Jawahar Lal Nehru Marg Jaipur .
2. University Grants Commission, Through Secretary, University Grants Commission ,new Delhi.
3. Jai Narain Vyas University, Through Vice Chancellor, Jai Narain Vyas University , Jodhpur .
4. Registrar, Jai Narain Vyas University , Jodhpur .
5. Head Of Department, Department Of Chemistry, Jai Narain Vyas University, Jodhpur.

----Respondents

For Petitioner(s)	:	Mr. Nikhil Ajmera
For Respondent(s)	:	Ms. Akshaya Shukla Mr. Akshay Nagori

HON'BLE DR. JUSTICE NUPUR BHATI

Order

03/11/2026

1. This writ petition has been filed by the petitioner with the following prayers:-

> "(i) By an appropriate writ, direction or order, the Respondent No. 03 and 05 may kindly be directed to admit the Petitioner into list of Eligible Candidate for admission into Ph.d. Admission, 2026 in Chemistry Stream, Jai Narain Vyas University, Jodhpur.
> (ii) Any other appropriate direction or order which this Hon'ble Court deems fit in the facts and circumstances of the case may kindly be granted.

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iii) The cost of this writ petition may kindly be awarded in favour of the petitioner."

2. Brief facts giving rise to the present writ petition are that Respondent No. 03—Jai Narain Vyas University, Jodhpur—issued an advertisement after a hiatus of 3–4 years inviting applications for admission to the Doctor of Philosophy (Ph.D.) program in various disciplines, including Chemistry, by promulgating an Ordinance dated 18.07.2026 followed by a Notification dated 21.07.2026 (Annexures 1 and 2), which stipulated that selection would be made on the basis of scores obtained in the National Eligibility Test (NET), with Category 2 and Category 3 certificates remaining valid for a period of one year. Pursuant thereto, the petitioner, possessing the requisite qualification vide NET Certificate dated 11.07.2025, duly submitted her application for Ph.D. admission in Chemistry before Respondent No. 05. Upon scrutinizing the applications, Respondent No. 05 published a provisional/interview eligibility list dated 19.09.2026 declared the petitioner ineligible citing "UGC-Ph.D. Certificate lapsed" on the premise that under Order No. F4-I (UGC-NET Review committee) / 2024 (NET) / 140648 dated 28.03.2024, the one-year validity period of the petitioner's certificate had expired prior to the issuance of the university Ordinance on 18.07.2026 (which received the assent of the Hon'ble Governor on 16.07.2026. Upon learning of her disqualification, the petitioner submitted a representation/objection dated 22.09.2026 highlighting that prior to applying, he had consulted the Research Cell / Department of Chemistry, JNVU, where he was orally assured that the cut-off

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date for reckoning the validity of NET certificates would be taken as 01.07.2026, on the strength of which assurance he had applied with all requisite documents; however, Respondent No. 05, without considering or disposing of the said objection dated 22.09.2026, proceeded to issue the final list of eligible candidates on 23.09.2026 conspicuously omitting the petitioner's name, thereby constraining the petitioner to approach this Court by way of the instant writ petition.

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3. Learned counsel for the petitioner submits that the petitioner appeared in the National Eligibility Test (NET), pursuant to which respondent No. 2–University Grants Commission (UGC) issued a certificate dated 11.07.2025, qualifying the petitioner for admission to the Ph.D. programme. He further submits that respondent-University issued a notification dated 21.07.2026, inviting applications for admission to the Ph.D. programme for the academic session 2026, pursuant to which the petitioner submitted her application, however, the candidature of the petitioner came to be rejected by the respondents with the remark that the "UGC-Ph.D. Certificate lapsed". Learned counsel further submits that the respondent-University had conducted the research admission process in the year 2022 and the advertisement has been issued after a period of four years. He submits that the respondent-University was required to conduct the research admission process on yearly basis and that the petitioner cannot be made to suffer on account of the delay and inaction attributable to the University in conducting the admission process. He also submits that, as per the notification dated

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21.07.2026, a total of 43 tentative vacant seats were notified in the Chemistry discipline, out of which 30 seats are still stated to be vacant, thus, in these circumstances, learned counsel for the petitioner submits that the petitioner may be considered for admission against the available vacant seats, particularly when the delay in conducting the admission process is attributable to the respondent-University itself. He, therefore, prays that the respondents be directed to consider the petitioner's candidature for admission to the Ph.D. programme against the available vacant seats.

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4. Learned counsel for the respondents submits that the NET certificate issued to the petitioner on 11.07.2025 was valid for a period of one year and, accordingly, its validity expired on 11.07.2026. She further submits that the respondent-University issued a notification dated 18.07.2026, whereby the procedure governing admission to the Ph.D. programme was prescribed under Ordinance 201. She submits that as per the said notification, the marks obtained by candidates in the NET examination are to be taken into consideration for admission to the Ph.D. programme, and the marks obtained by candidates falling under Categories 2 and 3 are valid for the purpose of admission only for a period of one year. Learned counsel for the respondent further submits that, admittedly, the case of the petitioner falls under Category 3; however, since the validity of the certificate issued to the petitioner had already expired on 11.07.2026, the marks obtained by her in the NET examination could not be considered for the purpose of granting admission to

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the Ph.D. programme. She further submits that the petitioner, being fully aware of the eligibility criteria prescribed under the notification dated 18.07.2026, nevertheless chose to participate in the admission process initiated pursuant to the notification dated 21.07.2026, despite not fulfilling the requisite eligibility conditions. Learned counsel for the respondent, therefore, submits that the respondents are bound by the eligibility criteria prescribed under the aforesaid notification and cannot grant any relaxation to the petitioner in respect thereof for the purpose of admission to the Ph.D. programme.

5. Heard learned counsel for the parties.

6. This Court has considered the notification dated 18.07.2026 (Annexure-1), issued by the respondent-University in relation to admission to the Ph.D. programme. A perusal of the said notification reveals that Ordinance 201 specifically prescribes the procedure and eligibility criteria governing admission to the Ph.D. programme. The relevant provisions of the said Ordinance, which have a bearing on the controversy involved in the present matter, are reproduced hereinbelow for ready reference:

....XXXX

"**O. 201. Procedure for Admission**

A. The university shall:

i. Notify a prospectus well in advance on the official website specifying the number of seats for admission, subject/discipline-wise distribution of available seats, criteria for admission, the procedure for admission, and all other relevant information for the candidates;

ii. Adhere to the National/State-level reservation policy, as applicable.

B. The University shall maintain a list of Ph.D. supervisors (specifying the name of the supervisor, his or her designation, and the department/ centre), along with the details of Ph.D. scholars (specifying the name of the registered Ph.D. scholar, the topic of his/her research and the date

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of admission) admitted under them on the website of the University and update this list every academic year.

C. Admission to the Ph.D. programme shall be made using the following method: -

The University may admit students who qualify for fellowship/scholarship in UGC-NET/UGC-CSIR NET/GATE.

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The instructions issued by the UGC vide order No. F4-1(UGC-NET Review committee)/2024 (NET)/140648 dated. 28 March, 2024, shall come into force. The admission to Ph.D. programme will be through NET score.

The NET candidates will be eligible in three categories:

Category-1: Eligible for admission to Ph.D with JRF and appointment as Assistant Professor.

Category-2: Eligible for admission to Ph.D without JRF and appointment as Assistant Professor

Category-3: Eligible for admission to Ph.D. programme only and not for the award of JRF or appointment as Assistant Professor.

- The marks obtained by a candidate in NET will be utilized for admission to Ph.D.
- A Combined merit list for students who qualify in Categories 1, 2 and 3, shall be prepared with 70% weightage given for NET scores and 30% weightage for the interview/ presentation for the admission to Ph.D. programme.
- The Ph.D. admission will be based on the combined merit of
- NET marks and the marks obtained in the interview/viva voce.
- The marks obtained in the NET by the candidates in Categories 2 and 3 will be valid for a period of one year for admission to Ph.D.

(i) The university will call for the interview in ratio of one is to three eligible candidates (or less) based on the number of Ph.D. seats available in the department. In case the eligible candidates are available in less than three times of seats then all the eligible candidates shall be called for interview.

(ii) The selection of candidates will be based on the NET score, a weightage of 70% for the NET score and 30% for the performance in the interview/presentation shall be given.

Further 30% of weightage shall be divided into:

Presentation - 15 Marks

Interview - 15 Marks

Interview Board shall consist of-

i. Head of the Department (Convener)

ii. Dean of the concerned faculty (Ex-officio)

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iii. Two External member appointed by Vice Chancellor from the panel of experts (consisting of ten names) prepared by DC.

iv. One senior most teacher of the department concerned.

Admission of International students in Ph.D. programme

Each supervisor can guide up to two international research scholars on a supernumerary basis over and above the permitted number of Ph.D. scholars i.e. 8/6/4 for Professor / Associate Professor/Assistant Professor respectively.

(1) The University may admit International students directly on the basis of interview keeping in view the guidelines/norms in this regard issued by the UGC/University/statutory / regulatory bodies concerned from time to time.

(2) At any point, the total number of Ph.D. scholars under a faculty member, either as a supervisor or a co-supervisor, shall not exceed the number prescribed in ordinance.

....xxxx"

7. It is important to note that the notification dated 21.07.2026 (Annex.2), under the heading of 'Eligibility', mentions that the eligibility shall be as per the University Research Ordinances 199 to 224, notified on 18.07.2026 (Jai Narain Vyas University, Jodhpur, (Academic Section) No.JNVU/Aca/M/2026/2180). Thus, it is writ large that, in order to determine the eligibility for the purpose of admission to Ph.D. 2026, the notification dated 18.07.2026 has to be taken into consideration, in which Ordinance 201 specifically deals with the procedure for admission.

8. This Court, upon consideration of Ordinance 201, finds that the marks obtained by candidates in the National Eligibility Test (NET) are taken into consideration for the purpose of admission to the Ph.D. programme and the merit list is prepared by assigning 70% weightage to the NET score and 30% weightage to the interview. Thus, the NET score constitutes a substantial component of the selection process and carries 70% weightage in determining the merit of a candidate for admission to the Ph.D.

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programme. This Court further finds that the validity of the NET score obtained by candidates falling under Categories 2 and 3 is restricted to a period of one year for the purpose of admission to the Ph.D. programme.

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9. In the present case, the National Testing Agency issued a certificate to the petitioner on 11.07.2025, wherein S.No.(xi) of certificate for admission to Ph.D specifically stipulated that the validity of the certificate would remain for a period of one year. Consequently, the validity of the petitioner's certificate expired on 11.07.2026, whereas the notification inviting applications for the research admission process for the academic session 2026 was issued by the respondent-University on 21.07.2026, i.e., after the expiry of the validity period of the petitioner's certificate.

10. In view of the aforesaid factual and legal position, this Court finds that, on the date of commencement of the admission process, the petitioner could no longer claim eligibility on the basis of the NET certificate issued to her, as the same had already ceased to be valid. Once the stipulated period of validity of the certificate had expired, the petitioner could not seek consideration of her candidature on the strength of such an expired certificate, particularly in the absence of any provision under the applicable rules or regulations permitting extension of its validity. This Court is conscious of the contention raised on behalf of the petitioner that the respondent-University conducted the research admission process after an inordinate delay of approximately four years and that the petitioner ought not to be made to suffer on account of the delay attributable to the University. However, the delay on the part of the respondent-University, by itself, cannot confer upon the

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petitioner an eligibility which she otherwise did not possess on the relevant date under the governing admission criteria.The eligibility conditions prescribed for admission are required to be applied uniformly to all candidates, and the Court cannot direct the respondent-University to disregard the prescribed period of validity of the NET certificate merely on the ground that the admission process was conducted belatedly.

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11. It is also a settled principle that a candidate who participates in an admission process with full knowledge of the eligibility conditions and the terms governing such process cannot ordinarily be permitted to seek relaxation in those conditions after having participated therein and in the present case, the petitioner was required to satisfy the prescribed eligibility criteria, including the condition relating to the validity of the NET certificate, and the mere fact that the admission process was conducted belatedly would not entitle her to claim relaxation from the same.

12. The petitioner, having consciously participated in the admission process without raising any objection to the prescribed eligibility conditions, cannot subsequently be permitted to approbate and reprobate by questioning the delay on the part of the respondents in issuing the notification for admission to the Ph.D. programme.

13. In view of the aforesaid circumstances, the writ petition is dismissed. Stay petition as well as all pending applications, if any, also stand dismissed.

(DR.NUPUR BHATI),J

Crt_10 (1838)
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Surbhi Sharma

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