



2026:AHC:209081

AFR

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 15156 of 2026

Dr. Vartika Mishra

.....Petitioner(s)

Versus

State of Uttar Pradesh and another

.....Respondent(s)

Counsel for Petitioner(s)	: Aryan Mishra, Shriyanshi Upadhyay
Counsel for Respondent(s)	: Kushmondeya Shahi, C.S.C., Gagan Mehta

Along With

WRIT A No.16093 of 2026

Lalit Kumar Singh and 47 Others vs. State of U.P. and Another

Court No. - 52

HON'BLE MRS. MANJU RANI CHAUHAN, J.

1. Heard Ms. Shriyanshi Upadhyay, Mr. Aryan Mishra, Mr. Gaurang Mishra, Mr. Yogesh Kumar Saxena, learned counsel for the petitioners, Mr. Shailendra Singh, learned Standing Counsel for the State and Mr. K. Shahi, learned counsel for the respondent-Commission and perused the record.

2. In writ A No.15156 of 2026, the following prayers have been made:-

“(A). The present writ petition has been instituted, inter alia, seeking issuance of an appropriate writ, order or direction quashing the recruitment advertisement dated 8.9.2026 issued by respondent no. 2, to the extent that it excludes the subject of Biotechnology from the category of allied/relevant

subjects recognised in relation to Zoology for the post of Assistant Professor in Zoology.

(B). A further prayer has been made for quashing the minutes of the meeting dated 12.8.2026 of the Uttar Pradesh Education Service Selection Commission, Prayagraj, and the consequential Government Order dated 20.8.2026, insofar as they purport to exclude Biotechnology from the allied/relevant subjects of Zoology, and for issuance of a writ, order or direction commanding the respondents to treat the petitioner as eligible to apply for and participate in the selection process for the post of Assistant Professor in Zoology in accordance with the position prevailing under the Government Letter dated 5.5.2023.”

3. In writ A No.16093 of 2026, the following prayers have been made:-

“(A). The present writ petition has been instituted, inter alia, seeking issuance of an appropriate writ, order or direction quashing the advertisement dated 8.9.2026 issued by respondent no. 2, in so far as it relates to non-inclusion of the subject Biotechnology and Biochemistry as an allied/relevant subject to the subject Zoology.

(B). A further prayer has been made for directing the respondent no.2 to permit the candidates possessing a degree in Biotechnology and Biochemistry to apply for and be considered against the vacancies of Assistant Professor in Zoology by treating Biotechnology and Biochemistry as an allied/relevant subject to Zoology and to accordingly modify/correct the impugned recruitment notification to the extent that it excludes Biotechnology and Biochemistry candidates from the Zoology discipline.

(c). Issue a writ, order or direction in the nature of Certiorari quashing the impugned G.O. dated 20.08.2026 passed by respondent no. 1.”

4. The petitioners has further prayed for a direction to respondent no.2 to permit candidates possessing the requisite degree in Biotechnology to apply for and be considered against the vacancies advertised for the post of Assistant Professor in Zoology, by recognising Biotechnology as an allied/relevant subject to Zoology, and to suitably amend, rectify or modify the impugned recruitment advertisement dated 8.9.2026 to the aforesaid extent.

5. In substance, the petitioner seeks recognition of Biotechnology as an allied/relevant subject to Zoology for the purposes of eligibility and consideration for appointment to the post of Assistant Professor in Zoology, on the strength of the position allegedly obtaining under the Government Letter dated 5.5.2023, and challenges its subsequent exclusion through the impugned minutes, Government Order and recruitment advertisement.

6. Placing the aforesaid challenge in perspective, learned counsel for the petitioner submits that the petitioner holds a Master's degree, namely, M.Sc. in Biotechnology, securing more than 55% marks from a University recognised by the University Grants Commission (UGC). She has also qualified the National Eligibility Test (NET) in Life Sciences conducted by the Council of Scientific and Industrial Research (CSIR). It is contended that Biotechnology is inherently an interdisciplinary branch of science, drawing upon and integrating diverse scientific disciplines, including Plant Sciences and Animal Sciences. Consequently, Biotechnology cannot, by any legitimate academic or scientific standard, be regarded as a subject wholly alien or unrelated to Zoology, particularly when its academic curriculum substantially encompasses various domains of Animal Sciences, including areas falling within the discipline of Zoology.

7. Learned counsel further submits that the academic framework recognised by the UGC itself demonstrates the substantial interrelationship between Biotechnology and Zoology. Reference has been made to the proposed syllabus for B.Sc. (Honours) Biotechnology and the curriculum prescribed for undergraduate courses under the Choice Based Credit System (CBCS), wherein subjects and areas pertaining to Zoology and allied branches of Animal Sciences form an integral component of the study of Biotechnology. It is, therefore, contended that the exclusion of

Biotechnology from the category of allied or relevant subjects to Zoology is academically incongruous and lacks a rational basis.

8. It is next submitted that the governing eligibility framework for appointment to the post of Assistant Professor does not confine eligibility exclusively to a degree in the very same nomenclature as the subject advertised. Learned counsel has drawn attention to the UGC Regulations on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2018, under which a candidate is required to possess a Master's degree with at least 55% marks in the concerned or relevant or allied subject, subject to the other prescribed conditions. According to learned counsel, the expression "relevant or allied subject" assumes particular significance in the present case and necessarily requires the respondents to examine the substantive academic relationship between Biotechnology and Zoology rather than proceeding merely on the basis of the nomenclature of the postgraduate degree.

9. Learned counsel has further placed reliance upon the CSIR-UGC NET June, 2026 Information Bulletin, wherein Biotechnology is encompassed within the broader discipline of Life Sciences. It is urged that the recognition of Biotechnology within the Life Sciences framework, coupled with the petitioner's qualification in CSIR-UGC NET Life Sciences, furnishes further academic indicia establishing the close and substantial relationship of Biotechnology with cognate disciplines, including Zoology and Botany.

10. It is, thus, submitted that the petitioner, having obtained an M.Sc. degree in Biotechnology with more than 55% marks from a UGC-recognised University and having qualified the CSIR-UGC NET in Life Sciences, possesses the requisite academic credentials and cannot be excluded from consideration for the post of Assistant

Professor in Zoology merely because her postgraduate degree bears the nomenclature "Biotechnology". According to learned counsel, Biotechnology being an interdisciplinary and allied branch of Life Sciences having substantial curricular and academic overlap with Zoology, its exclusion from the category of allied/relevant subjects is arbitrary, unreasonable and contrary to the applicable academic and regulatory framework. The petitioner, therefore, submits that she is entitled to participate in the selection process pursuant to the recruitment advertisement dated 8.9.2026 and to be considered for the post of Assistant Professor in Zoology, subject to fulfilment of all other prescribed eligibility conditions.

11. Learned counsel for the petitioner submits that Clause 7 of the impugned recruitment advertisement specifically enumerates the subjects advertised along with their respective allied/relevant subjects. At Serial No. 26, the subject of Botany has been specified and Biotechnology has expressly been recognised as one of its allied/relevant subjects. However, at Serial No. 27, while enumerating Zoology and the subjects treated as allied/relevant thereto, Biotechnology has conspicuously been omitted.

12. It is this differential treatment which constitutes the principal grievance of the petitioner. The petitioner contends that once Biotechnology has been recognised by the competent authority itself as an allied/relevant subject to Botany, its complete exclusion from the corresponding category of allied/relevant subjects to Zoology cannot be sustained in the absence of any discernible academic, statutory or rational basis. Botany and Zoology are both constituent branches of the broader discipline of Biological/Life Sciences, and Biotechnology, by its very nature, draws upon and integrates knowledge from diverse branches of biological science, including both plant and animal sciences.

13. It is, therefore, urged that the respondents cannot, on the one hand, acknowledge Biotechnology as an allied/relevant subject to Botany and, on the other, exclude the same subject altogether from the corresponding category relating to Zoology without disclosing any intelligible criterion distinguishing the two situations. According to learned counsel, such differential treatment is prima facie arbitrary and fails to disclose any rational nexus with the object sought to be achieved by prescribing allied/relevant subjects for recruitment to the post of Assistant Professor.

14. Learned counsel accordingly submits that the issue is not one of claiming equivalence merely on the basis of similarity in nomenclature or an incidental overlap between two academic disciplines. Rather, the petitioner's grievance arises from the respondents' own recognition of Biotechnology as an allied/relevant subject to Botany, coupled with its exclusion from Zoology despite the substantial academic interrelationship between the two disciplines. In such circumstances, the exclusion of Biotechnology from the list of allied/relevant subjects of Zoology, without any disclosed distinguishing criterion or academic justification, warrants judicial scrutiny and calls for appropriate correction of the impugned recruitment advertisement.

15. Learned counsel for the petitioner submits that Biotechnology, by its very nature and academic content, encompasses both Plant Biotechnology and Animal Biotechnology and, therefore, bears a direct and substantial academic relationship with both Botany and Zoology. It is contended that the respondents, having expressly recognised Biotechnology as an allied/relevant subject to Botany in the very same recruitment advertisement, could not have excluded it from the corresponding list of allied/relevant subjects pertaining to Zoology without disclosing any rational or intelligible basis for such differential treatment. According to learned counsel, the

impugned classification amounts to an impermissible process of selective inclusion and exclusion and is, therefore, arbitrary, discriminatory and devoid of adequate justification.

16. Learned counsel further submits that the academic curricula prescribed by the UGC for Zoology and Biotechnology themselves demonstrate substantial commonality and interdisciplinary overlap between the two disciplines. It is asserted that approximately 75% of the syllabus is common or overlapping, which, according to the petitioner, constitutes a significant academic indicator of the close relationship between the two subjects. Such substantial curricular correspondence, it is urged, reinforces the petitioner's contention that Biotechnology falls within the legitimate sphere of an allied/relevant subject to Zoology and could not have been excluded merely on the basis of the nomenclature of the postgraduate qualification.

17. In support of the aforesaid submission, learned counsel has placed reliance upon an earlier recruitment advertisement issued by respondent no. 2, which came under consideration before this Court in Writ-A No. 5023 of 2021, Vikram Gaurav Singh and six others v. State of U.P. and another, and Writ-A No. 5055 of 2021, Dr. Shambhu Sharan Tripathi and 67 others v. State of U.P. and another. The controversy in those proceedings also concerned the non-inclusion of Environmental Science as an allied/relevant subject to Botany and Zoology in the recruitment advertisement.

18. Learned counsel submits that, while considering the grievance raised in the aforesaid matters, this Court called upon the Commission to explain the circumstances in which the advertisement had been issued without recognising Environmental Science as an allied/relevant subject to Botany and Zoology. By order dated 12.8.2021, the Court permitted the petitioners therein to participate provisionally in the ongoing selection process, while

leaving it open to the Commission to undertake appropriate corrective measures in accordance with law.

19. It is further submitted that, pursuant to the aforesaid order of this Court, the Commission reconsidered the matter in its meeting held on 16.8.2021 and took a decision concerning the recognition of allied/relevant subjects in relation to Botany and Zoology. Learned counsel seeks to rely upon the aforesaid course of events as demonstrating that the Commission itself has, on an earlier occasion, reconsidered and corrected the determination of allied/relevant subjects when the academic relationship between the subjects had not been appropriately reflected in the recruitment advertisement.

20. On the strength of the aforesaid submissions, learned counsel contends that the exclusion of Biotechnology from the list of allied/relevant subjects of Zoology in the impugned advertisement, particularly when Biotechnology has simultaneously been recognised as an allied/relevant subject to Botany, requires reconsideration by the competent authority. It is submitted that the Commission ought to examine the issue on the basis of the academic content, curricular relationship and the applicable regulatory framework rather than adopting a subject-wise nomenclatural approach which, according to the petitioner, results in an unjustified exclusion of otherwise academically qualified candidates.

21. Learned counsel for the petitioner further submits that, pursuant to the aforesaid proceedings, the Commission ultimately permitted candidates possessing the concerned qualifications to participate in the selection process and issued a press release dated 31.8.2021 specifying the allied/relevant subjects for Botany and Zoology under the said recruitment advertisement. Significantly, the said press release expressly recognised Biotechnology as an

allied/relevant subject not only to Botany but also to Zoology. The subjects notified therein were as follows:-

1. Botany: Biotechnology, Microbiology, Plant Biotechnology, Biochemistry, Applied Biochemistry, Marine Biotechnology, Genetics and Environmental Science.

2. Zoology: Applied Biochemistry, Biochemistry, Biotechnology, Biotechnology (M.Tech.), Microbiology, Molecular and Human Genetics and Environmental Science.

22. Learned counsel submits that the aforesaid notification assumes considerable significance in the present controversy, inasmuch as Biotechnology was expressly treated by the Commission itself as an allied/relevant subject to Zoology as well as Botany. Thus, the Commission had, on an earlier occasion and in the context of its own recruitment process, recognised the academic relationship between Biotechnology and Zoology and had permitted candidates possessing such qualification to be considered accordingly.

23. It is, therefore, contended that the subsequent exclusion of Biotechnology from the list of allied/relevant subjects of Zoology in the impugned advertisement dated 8.9.2026 is wholly unexplained and cannot be sustained merely as an administrative variation in the formulation of the advertisement. Once the competent Commission had earlier examined the academic relationship between the disciplines and had expressly included Biotechnology within the allied/relevant subjects of Zoology, any subsequent departure from the said position would necessarily require cogent, rational and academically sustainable justification.

24. Learned counsel thus submits that there is no discernible basis for adopting a different standard in the impugned advertisement, particularly when Biotechnology continues to be recognised therein as an allied/relevant subject to Botany. The earlier recognition of

Biotechnology as an allied/relevant subject of Zoology, according to learned counsel, constitutes a material circumstance which the respondents were required to take into consideration before excluding the subject from the present recruitment. In the absence of any disclosed change in the governing academic or regulatory framework, the impugned exclusion is alleged to be arbitrary, inconsistent and unsupported by any rational criterion.

25. Learned counsel for the petitioner thus submits that, if Biotechnology was expressly recognised and treated as an allied/relevant subject to Zoology in the earlier Advertisement Nos. 50 and 51 of 2021, there was no justifiable basis for its subsequent exclusion from the corresponding list in the impugned recruitment advertisement dated 8.9.2026. The earlier recognition, according to learned counsel, was not merely an isolated administrative determination but was subsequently affirmed by the State Government. Such change in policy without justifiable reason is arbitrary.

26. It is submitted that, by Government Letter dated 5.3.2023, the State Government approved the list of allied/relevant subjects pertaining to Advertisement Nos. 50 and 51 of 2021, wherein Biotechnology was expressly included as an allied/relevant subject to Zoology. Learned counsel contends that the said Government Letter lends further institutional and governmental recognition to the position earlier adopted by the Commission.

27. On this premise, learned counsel submits that the abrupt exclusion of Biotechnology from the allied/relevant subjects of Zoology in the impugned advertisement, in the absence of any disclosed change in the academic, statutory or regulatory framework, is wholly arbitrary and irrational. According to him, once the competent authorities had consistently recognised Biotechnology as an allied/relevant subject to Zoology and the said

position had subsequently received approval at the Government level, a departure therefrom could not legitimately be made without recording cogent reasons or identifying any supervening circumstance warranting such change.

28. Learned counsel has further sought to demonstrate that the recognition of academic affinity between Biotechnology and Zoology is not peculiar to the State of Uttar Pradesh. Reference has been made to the recruitment advertisements issued by the Madhya Pradesh Public Service Commission, including Advertisement dated 30.12.2022 and Advertisement dated 30.12.2025, wherein Biotechnology has also been treated as an allied/relevant subject to Zoology. According to learned counsel, the consistent treatment of Biotechnology as an allied/relevant subject to Zoology by different competent recruiting authorities furnishes further support to the petitioner's contention that its exclusion from the impugned advertisement requires a reasoned and academically sustainable justification.

29. It is, therefore, submitted that the impugned exclusion represents an unexplained departure from the consistent position previously adopted by the Commission and approved by the State Government, and that such departure, in the absence of any demonstrated change in circumstances or academic standards, cannot be sustained merely on the basis of the respondents' unilateral alteration of the list of allied/relevant subjects.

30. Learned counsel for the petitioners has further placed reliance upon the judgment of this Court in **Manish Kumar Sonkar v. State of U.P. and three others**, Writ-A No. 21220 of 2018, decided on 26.11.2018, wherein the question as to the appropriate discipline in which a candidate was required to have qualified the National Eligibility Test (NET) for being considered eligible for appointment

to the post of Assistant Professor in Zoology came up for consideration.

31. In paragraph 26 of the said judgment, upon consideration of the relevant academic and regulatory framework, this Court held that the Commission was not justified in including NET in Environmental Science as one of the disciplines for appointment to the post of Assistant Professor in Zoology at its own level. The Court further observed that the inclusion of candidates possessing such qualification in the select list could not be approved, as the Commission lacked jurisdiction to expand or alter the prescribed eligibility criteria on its own.

32. Consequently, the Court directed the Commission to recommend the names of those selected candidates for appointment to the post of Assistant Professor in Zoology who had qualified NET in Life Sciences, and directed that their claims for appointment be processed in accordance with law.

33. Learned counsel submits that the aforesaid decision assumes significance in the present controversy for the reason that the judgment recognises the relevance of the broader discipline of Life Sciences in determining eligibility for appointment to the post of Assistant Professor in Zoology. According to learned counsel, the recognition of NET in Life Sciences for the purpose of appointment to Zoology further demonstrates the academic nexus between Zoology and cognate disciplines falling within the broader Life Sciences stream. Since Biotechnology is itself an interdisciplinary branch of Life Sciences and the petitioner has qualified CSIR-UGC NET in Life Sciences, it is contended that the petitioner's qualification cannot be excluded from consideration for Zoology merely by adopting a restrictive nomenclatural approach.

34. It is thus submitted that the ratio of Manish Kumar Sonkar reinforces the petitioner's contention that eligibility for appointment

to Zoology cannot be determined in isolation from the broader academic structure of Life Sciences and that the respondents are required to adopt a rational and academically sustainable approach while identifying allied or relevant subjects for the purposes of recruitment.

35. Learned counsel for the petitioner further submits that several Universities and institutions, including those within the State of Uttar Pradesh, offer undergraduate and postgraduate programmes in Biotechnology, resulting in a substantial body of qualified graduates and postgraduates in the discipline. It is contended that the exclusion of Biotechnology from the list of allied/relevant subjects to Zoology in the impugned advertisement has the effect of shutting out a significant class of academically qualified candidates from participating in the recruitment process for the post of Assistant Professor in Zoology, notwithstanding the asserted academic and curricular relationship between Biotechnology and Zoology.

36. Learned counsel further submits that there is no separate CSIR-UGC NET examination conducted specifically under the nomenclature of "Biotechnology". The CSIR-UGC NET is conducted, inter alia, in the broader subject category of Life Sciences, which encompasses diverse branches of biological sciences. According to learned counsel, the very structure of the CSIR-UGC NET framework demonstrates that Life Sciences constitutes a broader academic discipline within which several cognate and interdisciplinary branches, including Biotechnology, are situated. The petitioner, having qualified the CSIR-UGC NET in Life Sciences, therefore possesses the prescribed eligibility in the broader discipline and cannot be denied consideration solely because Biotechnology is not separately identified as a NET subject.

37. It is further submitted that the petitioner has already approached respondent no. 2 by way of an e-mail dated 11.9.2026, specifically bringing to the notice of the Commission her grievance regarding the exclusion of Biotechnology from the allied/relevant subjects of Zoology and requesting that Biotechnology be recognised as an allied/relevant subject for the purposes of the impugned recruitment advertisement. However, according to learned counsel, the grievance has not been appropriately considered or adjudicated by the competent authority.

38. Learned counsel submits that such a course would adequately protect the petitioner's right to compete without prejudging the substantive issue as to whether Biotechnology is required to be recognised as an allied/relevant subject to Zoology, while at the same time ensuring that the petitioner is not rendered remediless merely because the recruitment process is continuing.

39. Learned counsel for the petitioners in **Writ-A No. 16093 of 2026, Lalit Kumar Singh and 47 others v. State of U.P. and another**, has further submitted that a substantially similar Government Order dated 22 June was issued by the Madhya Pradesh Public Service Commission, prescribing the subjects to be treated as allied subjects, and that the said prescription has been assailed before the High Court of Madhya Pradesh, Bench at Indore, in Writ Petition No. 36733 of 2026, wherein, by an interim order dated 9 September 2026, the petitioners therein have been permitted to participate in the recruitment process. It is, therefore, contended that, in the backdrop of the aforesaid decision and the alleged similarity in the academic qualifications prescribed by the two recruiting authorities, the petitioners herein may, at least provisionally, be permitted to participate in the recruitment process, subject to the final outcome of the writ petition. Learned counsel has further submitted that the Madhya Pradesh Public Service Commission has treated

Biotechnology and Biochemistry as allied subjects to Physiology and, therefore, the exclusion of Biotechnology from the category of allied subjects to Zoology by the State authorities in Uttar Pradesh is inconsistent with the approach adopted by another Public Service Commission in respect of allied academic disciplines. According to learned counsel, such differential treatment demonstrates that Biotechnology possesses sufficient academic affinity with the concerned discipline to warrant its inclusion as an allied subject and that the petitioners ought not to be deprived of an opportunity to participate in the recruitment process merely on account of the impugned prescription.

40. In view of the aforesaid circumstances, learned counsel for the petitioner submits that, at the very least, the petitioner ought not to be deprived of the opportunity to participate in the ongoing selection process merely on account of the disputed classification of Biotechnology. It is, therefore, prayed that the petitioner be permitted to submit her application provisionally pursuant to the advertisement dated 8.9.2026, subject to the final decision on the question of eligibility, and that respondent no. 2 be directed to consider and decide the petitioner's representation/grievance dated 11.9.2026 by a reasoned and speaking order within a time-bound period.

41. Per contra, learned counsel appearing for respondent no.2—Commission submits that Advertisement No. 4 of 2026 was issued on 8.9.2026 inviting applications for various posts of Assistant Professor, including the post of Assistant Professor in Zoology. The eligibility prescribed for the post of Assistant Professor in Zoology has been specifically set out in Clause 77 of the advertisement, wherein the subjects recognised as allied/relevant have been enumerated as follows: Animal Science, Microbiology, Molecular

and Human Genetics, Environmental Science, Fisheries and Life Sciences. Biotechnology does not find mention in the said list.

42. It is submitted that the impugned advertisement has not been issued arbitrarily or upon an independent determination by the Commission. Rather, the eligibility criteria incorporated therein are founded upon the decision of the State Government accepting the recommendations of the Expert Committee constituted for examining the question of allied/relevant subjects. Learned counsel submits that the Expert Committee considered the matter in its meeting dated 12.8.2026 and recommended the subjects which could appropriately be treated as allied/relevant to Zoology. The said recommendations were thereafter accepted by the State Government, pursuant to which the impugned advertisement came to be issued.

43. According to learned counsel, the question of determining the allied/relevant subjects for appointment to the post of Assistant Professor in Zoology has, therefore, already received consideration at the level of the State Government on the basis of expert opinion, and the Commission has merely incorporated the eligibility criteria so determined by the competent authority in the recruitment advertisement. It is consequently submitted that no independent academic determination or alteration of eligibility has been undertaken by the Commission.

44. Learned counsel further submits that the question of allied subjects had earlier also been examined by the State Government in the context of appointments in Government Degree Colleges. In this regard, a committee was constituted in the year 2023, which submitted its report dated 7.8.2023. The said report was forwarded by the Director, Higher Education, and was thereafter considered and accepted by the State Government by order dated 21.12.2023. Reference has also been made to the communication addressed by

the State Government to the Secretary of the Public Service Commission dated 21.9.2023.

45. It is contended that a perusal of the aforesaid governmental decisions would demonstrate that the State Government has consciously determined the subjects which may be treated as allied/relevant for the respective disciplines. Learned counsel submits that, in the aforesaid exercise, certain subjects have been recognised as allied subjects to Botany, whereas they have not been similarly recognised in relation to Zoology. The determination, therefore, cannot be characterised as an inadvertent omission in the impugned advertisement.

46. Learned counsel accordingly submits that, if the petitioner seeks to question the exclusion of Biotechnology from the list of allied/relevant subjects for Zoology, the challenge cannot be confined merely to the recruitment advertisement. The petitioner would necessarily be required to assail the underlying governmental decision or the determination upon which the eligibility criteria have been founded. In the absence of any challenge to the said Government Order/decision, the writ petition, insofar as it seeks to alter the eligibility criteria incorporated in the impugned advertisement, is not maintainable.

47. It is further submitted that the UGC Regulations governing minimum qualifications for appointment of teachers and other academic staff have also undergone amendments through the notifications issued in July/August 2023. Consequently, according to learned counsel, the petitioner cannot rely upon an earlier regulatory framework or upon the eligibility position prevailing under previous recruitment advertisements to claim an indefeasible right to participate in the present selection. Eligibility has to be determined with reference to the regulatory and governmental framework applicable to the recruitment in question.

48. Learned counsel for the respondent has placed reliance upon the judgment of the Hon'ble Supreme Court in **Anand Yadav and others v. State of Uttar Pradesh and others, (2021) 12 SCC 390**, wherein the Apex Court has recognised the principle that, where the State, being the competent recruiting authority, prescribes the requisite qualifications and, upon consideration of the applicable academic and regulatory framework, determines the subjects which are to be treated as relevant or allied subjects, the Court, in exercise of judicial review, ordinarily cannot enlarge the prescribed field by judicial interpretation or substitute its own assessment of equivalence or academic relevance. Such determination may be interfered with only where it is demonstrably contrary to the governing statute or rules, suffers from manifest arbitrariness, or is otherwise vitiated by a recognised ground of judicial review. Thus, where the Government Order itself expressly identifies the subjects which are to be regarded as allied subjects and no statutory or regulatory provision has been brought to the notice of the Court which renders such prescription impermissible, the determination made by the State falls substantially within the sphere of academic expertise and policy formulation. The mere fact that another subject may, in the opinion of the petitioners, possess academic affinity with the subjects so prescribed cannot, by itself, furnish a legitimate basis for this Court to enlarge the scope of the Government Order or substitute its own academic assessment for that of the competent authority. The reliance placed upon Anand Yadav (supra), therefore, in fact reinforces the principle of judicial restraint rather than furnishing a ground for judicial expansion of the qualifications prescribed by the State.

49. Learned counsel for the respondent further submits that the question relating to equivalence of subjects already stands considered by this Court in **Gopal Bhartiya and seven others v. State**

of U.P. and three others, Writ-A No. 12563 of 2026, which came to be dismissed by order dated 23 September 2026. On the strength of the said decision, it is contended that the issue as to whether a particular subject is to be regarded as equivalent or allied to another subject cannot be determined merely on the basis of the nomenclature of the subjects and must be examined in the context of the applicable qualifications and the relevant academic framework.

50. On these grounds, learned counsel for the Commission submits that the impugned advertisement merely gives effect to a conscious determination made by the competent governmental authority on the basis of expert consideration, and that no case of arbitrariness, discrimination or illegality is made out warranting interference by this Court under Article 226 of the Constitution.

51. Having considered the rival submissions, this Court finds no ground warranting interference with the impugned determination. The identification of allied/relevant subjects for appointment to the post of Assistant Professor in Zoology is essentially an academic and policy determination, resting upon an assessment of curricular content, disciplinary affinity and the requirements of the post. Such an exercise falls within the institutional domain of the competent authority and cannot ordinarily be supplanted by judicial opinion.

52. In the present case, the State Government, upon consideration of the recommendations of the duly constituted Expert Committee and within the framework of the applicable UGC Regulations, has consciously determined the subjects to be treated as allied/relevant to Zoology. The Commission has merely given effect to the said determination in the impugned advertisement. No statutory infraction, manifest arbitrariness, mala fide exercise of power or demonstrable perversity in the decision-making process has been established.

53. The fact that Biotechnology was recognised as an allied/relevant subject to Zoology in an earlier recruitment exercise, or that it bears substantial academic affinity with Zoology, does not create an immutable entitlement to its continued inclusion. Academic policy is not fossilised; the competent authority may, upon expert reconsideration and within the governing regulatory framework, revise the eligibility matrix.

54. This Court, exercising judicial review, is concerned with the legality of the decision-making process and not with substituting its own academic assessment for that of the competent authority. In the absence of any jurisdictional error or constitutional infirmity, no mandamus can issue compelling the State Government to adopt a particular academic classification.

55. Accordingly, the exclusion of Biotechnology from the allied/relevant subjects of Zoology in the impugned advertisement calls for no interference. The writ petition is, therefore, dismissed.

56. The legal position is no longer *res integra*. In **University of Mysore and Anr. v. C.D. Govinda Rao & Anr.**, AIR 1965 SC 491, the Constitution Bench of the Supreme Court cautioned that Courts should ordinarily be slow to interfere with the opinion of experts in academic matters. In **Dr. J.P. Kulshreshtha & Ors. v. Chancellor, Allahabad University & Ors**, 1983 (3) SCC 418, the Supreme Court reiterated that, though academic decisions are not wholly immune from judicial review, judicial restraint is dictated by the institutional competence of academic bodies and the Court ought not to substitute its own assessment for that of experts.

57. The same principle has been consistently applied by this Court. In **Jigyasa Tiwari (Minor) v. State of U.P.**, 2022 SCC Online All 315, this Court categorically held that prescription of qualification is essentially and primarily within the domain of the employer and the rule-making authority and that the Court, while

exercising jurisdiction under Article 226 of the Constitution, cannot arrogate that function to itself. Likewise, in **Prashant Kumar Jaiswal & Ors. v. State of U.P. & Ors, 2017 SCC Online All 2919**, this Court emphasised that the determination of equivalence of qualifications is required to proceed upon a definite and pre-determined criterion and cannot be fashioned by the Court in the exercise of judicial review. The same principle has been reiterated in **Abhinav Tiwari v. State of U.P. and others, 2025 SCC Online All 5563**, wherein it was recognised that the formulation of recruitment policy and the prescription of academic, equivalent and other eligibility qualifications fall within the province of the State Government.

58. Thus, the Court's jurisdiction is confined to examining the legality of the decision-making process and not to substituting its own academic assessment for that of the competent authority. Unless the prescribed qualification or the determination of allied/relevant subjects is shown to be contrary to the governing statutory or regulatory framework, manifestly arbitrary, perverse, mala fide or founded upon wholly irrelevant considerations, judicial intervention is not warranted.

59. In the present case, the State Government, acting upon the recommendations of the duly constituted Expert Committee and within the framework of the applicable UGC Regulations, has consciously determined the subjects to be treated as allied/relevant to Zoology. The Commission has merely incorporated and implemented that determination in the impugned advertisement. The petitioner may demonstrate substantial academic affinity between Biotechnology and Zoology, but such affinity by itself cannot confer upon this Court the authority to declare Biotechnology an allied/relevant subject where the competent

academic and governmental authorities, upon consideration of the matter, have consciously taken a contrary view.

60. The question, therefore, is not whether another view is academically possible, but whether the view adopted by the competent authority is legally impermissible. No such infirmity having been established, this Court would not trespass into the domain of academic policy or recast the eligibility matrix prescribed by the competent authority.

61. As regards the submission advanced by learned counsel for the petitioners placing reliance upon the interim order passed by the High Court of Madhya Pradesh, Bench at Indore, in relation to the recruitment process conducted by the Madhya Pradesh Public Service Commission, wherein Biotechnology and Biochemistry have been treated as allied subjects to Physiology, the contention, though attractive, cannot, by itself, furnish a determinative basis for interference with the prescription made by the competent authorities in the State of Uttar Pradesh. The mere fact that another State or another recruiting authority has treated a particular subject as an allied subject for a particular discipline does not ipso facto confer upon the petitioners a corresponding right to insist upon an identical prescription in the State of Uttar Pradesh. The determination of academic equivalence or of the subjects which may appropriately be regarded as allied is necessarily contextual and may depend upon the governing statutory framework, curricular content, academic structure, nature of the post, recruitment requirements and other relevant academic or functional considerations prevailing in the concerned jurisdiction. More importantly, an interim order passed by a constitutional court in proceedings arising from a distinct recruitment process cannot be construed as a declaration that the prescription adopted by the Madhya Pradesh Public Service Commission is legally correct, nor can such an interlocutory

arrangement constitute a binding precedent for adjudicating the validity of the policy formulated by the authorities of the State of Uttar Pradesh. An order permitting provisional participation in a recruitment process is essentially an interim protective measure, operating subject to the final adjudication of the proceedings, and does not, in the absence of a final determination on merits, create or recognise any substantive right in favour of the participants. Consequently, the mere circumstance that Biotechnology and Biochemistry have been treated as allied subjects by another recruiting authority cannot, without more, render the exclusion of Biotechnology from the list of allied subjects prescribed by the State of Uttar Pradesh arbitrary or legally infirm. The petitioners must establish, independently, that the impugned prescription is contrary to the governing statutory or regulatory framework, manifestly arbitrary, irrational, discriminatory, or otherwise vitiated by a recognised ground warranting interference in exercise of judicial review. In the absence of such a showing, this Court would not be justified in importing the academic or policy determination made by another recruiting authority into the distinct statutory and administrative framework governing the recruitment in question.

62. The Court is of the considered opinion that the mere fact that Biotechnology was earlier included within the category of allied subjects to Zoology cannot, by itself, render the subsequent change in policy arbitrary. No immutable right vests in a candidate to insist that an academic qualification once recognised for a particular recruitment or academic purpose must invariably continue to be treated as an allied qualification for all times to come. A policy-making authority is competent to review, modify or even withdraw an earlier policy if, upon reconsideration, it forms the view that a different classification would better subserve the academic or functional requirements of the post, provided that such change is

founded upon relevant considerations and is not contrary to the governing statutory or regulatory framework. The fact that the earlier policy operated to the advantage of a particular class may constitute a circumstance warranting careful judicial scrutiny of the subsequent change; however, it does not, in itself, establish hostile discrimination, manifest arbitrariness or any other constitutional infirmity. The scope of judicial enquiry would consequently remain confined to examining whether the revised prescription has been made by the competent authority, whether it rests upon a rational and discernible basis having a reasonable nexus with the object sought to be achieved, and whether it is inconsistent with any statutory or regulatory provision. Where these requirements are satisfied, this Court, in exercise of judicial review, would not sit in appeal over the wisdom of the policy merely because the earlier policy was more expansive in its treatment of Biotechnology as an allied subject to Zoology. A change in policy is not, by its very nature, an act of arbitrariness; what is constitutionally impermissible is a change founded upon irrelevant considerations, devoid of any rational basis, contrary to the governing law, or otherwise vitiated by a recognised ground of judicial review.

63. In the present case, learned counsel for the petitioners has failed to demonstrate that the impugned change in policy is contrary to any governing statutory or regulatory provision, or that the decision to revise the list of allied subjects has been taken without due consideration of the relevant academic and expert aspects bearing upon the issue. No material has been brought on record to establish that the revised prescription is manifestly arbitrary, irrational, discriminatory or otherwise suffers from any legal infirmity warranting interference in exercise of the jurisdiction under Article 226 of the Constitution of India.

64. In view of the foregoing discussion, this Court finds no illegality or infirmity in the impugned Government Order so as to warrant judicial interference. The writ petitions, accordingly, fail and are **dismissed**.

65. It is, however, made clear that the dismissal of the present writ petition shall not preclude the petitioners from placing their grievance, along with such relevant material as they may deem appropriate, before the competent authority of the State Government, seeking reconsideration of the existing policy regarding the allied subjects. If such representation is made, it shall be open to the competent authority to consider the same, in accordance with law and on its own merits, keeping in view the relevant academic, expert and policy considerations. No opinion is expressed by this Court on the merits of any such representation.

(Mrs. Manju Rani Chauhan,J.)

October 06, 2026

Rahul