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

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Date of Decision: 16.09.2026

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CNR No. DLHC010439932026

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LPA 739/2026 & CM APPL. 63255/2026**DR RASHI BANKAR**

.....Appellant

Through: Mr.Vikas Nagpal and Mr.Sandeep
Dhingra, Advs.

versus

JAWAHARLAL NEHRU UNIVERSITY & ANR.RespondentsThrough: Ms.Ginny Jetley Rautray with
Mr.Arn timer Tandon, Advs for R-1.
Ms.Pragya Priya with Mr.Kushagra
Raj, Ms.Manavi Tyagi, Mr.Divyodit,
Advs for R-2.**CORAM:****HON'BLE THE CHIEF JUSTICE****HON'BLE MR. JUSTICE TEJAS KARIA****DEVENDRA KUMAR UPADHYAYA, CJ. (ORAL)**

1. This intra-court appeal assails the order dated 20.08.2026 passed by learned Single Judge whereby *W.P.(C) 12082/2026* instituted by the appellant has been dismissed.

It is to be noted at this juncture itself that by instituting the proceedings of the underlying writ petition, the appellant has challenged a communication dated 16.07.2026 whereby respondent no.1-JNU, which is the parent employer of the appellant, had declined the request made by



respondent no.2-FSSAI for extension of tenure of deputation of the appellant for a period of one year with effect from 27.07.2026 to 26.07.2027.

2. The facts in nutshell are that the appellant is a Senior Technical Assistant employed with respondent no.1-JNU. She applied for being appointed on deputation to the post of Assistant Director (Technical) in the organisation of respondent no.2 after obtaining a No Objection Certificate from her principle employer i.e. respondent no.1-JNU. Since she was not being relieved pursuant to her appointment on deputation by respondent no.1-JNU, a writ petition bearing no. *W.P.(C)* 9632/2022 was filed by her before this Court which was allowed *vide* order dated 27.07.2022 and respondent no.1-JNU was, accordingly, directed to relieve the appellant, permitting her to join at respondent no.2.

3. Pursuant to the said order dated 27.07.2022, passed by this Court, *vide* Office Order dated 27.07.2022, respondent no.1-JNU relieved the appellant for her joining at respondent no.2 as Assistant Director (Technical) on deputation for a period of three years. Consequent upon her relieving she joined respondent no.2 and her deputation commenced with effect from 27.07.2022.

4. On completion of the term of deputation of three years, respondent no.1-JNU granted its consent for extension of appellant's deputation for a further period of one year and accordingly, respondent no.2 issued an Office Order dated 25.08.2025, extending her term of deputation from 27.07.2025 to 26.07.2026. Before completion of the extended term of deputation, the appellant desired to continue with respondent no.2 for a further period of one year and accordingly, respondent no.2, *vide* its communication dated 13.05.2026, informed the respondent no.1-JNU that the appellant was clear



from a vigilance angle and requested for grant of consent for retaining her for a further period of one year from 27.07.2026 to 26.07.2027.

5. Respondent no.1-JNU, however, *vide* communication dated 16.07.2026 declined to grant its consent for extension of the term of deputation of the appellant for the fifth year, citing the reason that respondent no.1-JNU is already facing acute shortage of staff and that the appellant's earlier deputation was extended, *vide* its letter dated 25.07.2025, with effect from 27.07.2025 to 26.07.2026 as a special case, keeping in view the commitment made by her before the Vice Chancellor of respondent no.1-JNU that she would not ask for any further extension of her deputation in future.

6. On being repatriated and relieved from respondent no.2, the appellant made a request for grant of Child Care Leave from 27.07.2026 to 24.09.2026 which was granted, however, thereafter, she instituted the underlying writ petition challenging the communication dated 16.07.2026, whereby the request for extension of period of deputation for a further period of one year was declined by respondent no.1-JNU, and the underlying writ petition has been dismissed by the impugned order by learned Single Judge.

7. Learned counsel for the appellant has submitted that the communication dated 16.07.2026 declining the request for extension of term of deputation is arbitrary and therefore, it is liable to be quashed.

8. Learned Single Judge has, however, considered the matter in detail and has opined that in view of the judgment of Hon'ble Supreme Court in the case of ***State of Punjab v. Inder Singh, (1997) 8 SCC 372***, an employee does not have any absolute right to be appointed and continued on



deputation. Learned Single Judge has also referred to the communication dated 16.07.2026, where respondent no.1-JNU, while declining the request for extension of period of deputation, has clearly recorded that respondent no.1-JNU is faced with acute shortage of staff and further, that as per appellant's earlier commitment made before the Vice Chancellor of respondent no.1-JNU that she would not ask for any further extension of her deputation in future, the prayer is declined.

9. Appointment by way of deputation has three primary requisites elements, namely, (i) willingness of the borrowing department to take the employee on deputation, (ii) willingness of the parent department to lend the services of its employee to the borrowing department on deputation and, (iii) willingness of the employee concerned. It is settled law that in case of absence of either of these three conditions, no deputation can be claimed by any employee as a matter of right.

10. As to whether the parent department is in a position to accede to the request of extension of term of deputation, depends primarily on its need. In this regard, we may note that the communication dated 16.07.2026 made by respondent no.1-JNU clearly states that respondent no.1-JNU is already facing acute shortage of staff. The said communication also records, which fact has not been denied, that she was granted extension of deputation earlier as per her commitment made before the Vice Chancellor of respondent no.1-JNU that she would not ask for any further extension of her deputation in future. Thus, in case the parent department is faced with shortage of staff, any prayer made for extension of deputation on the said ground, in our opinion, is bound to fail and accordingly, respondent no.1-JNU has rightly declined the said prayer. Further, the commitment made by the appellant



before the Vice Chancellor on the earlier occasion when her term of deputation was extended that she would not claim any further extension of her deputation in future, also binds her.

11. Learned Single Judge, in our opinion, in the facts of the case has reached the correct conclusion and has rightly dismissed the writ petition.

12. In view of the aforesaid, we do not find any good ground to interfere with the impugned order passed by the learned Single Judge.

13. Resultantly, the appeal is hereby dismissed. There will be no order as to costs.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

SEPTEMBER 16, 2026/MJ