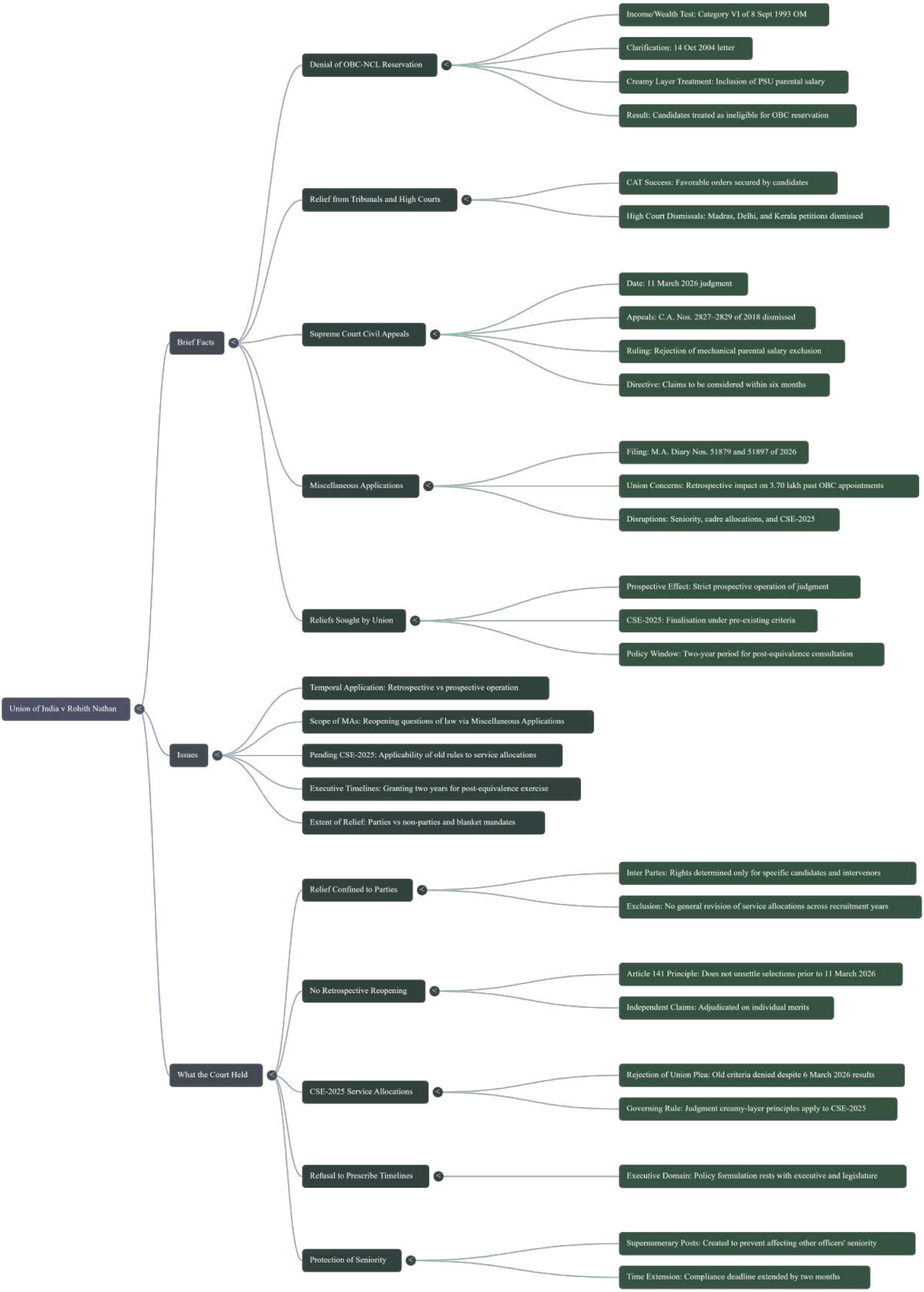

Union of India v Rohith Nathan
Brief Facts
Denial of OBC-NCL Reservation
Income/Wealth Test: Category VI of 8 Sept 1993 OM
Clarification: 14 Oct 2004 letter
Creamy Layer Treatment: Inclusion of PSU parental salary
Result: Candidates treated as ineligible for OBC reservation
Relief from Tribunals and High Courts
CAT Success: Favorable orders secured by candidates
High Court Dismissals: Madras, Delhi, and Kerala petitions dismissed
Supreme Court Civil Appeals
Date: 11 March 2026 judgment
Appeals: C.A. Nos. 2827–2829 of 2018 dismissed
Ruling: Rejection of mechanical parental salary exclusion
Directive: Claims to be considered within six months
Miscellaneous Applications
Filing: M.A. Diary Nos. 51879 and 51897 of 2026
Union Concerns: Retrospective impact on 3.70 lakh past OBC appointments
Disruptions: Seniority, cadre allocations, and CSE-2025
Reliefs Sought by Union
Prospective Effect: Strict prospective operation of judgment
CSE-2025: Finalisation under pre-existing criteria
Policy Window: Two-year period for post-equivalence consultation
Issues
Temporal Application: Retrospective vs prospective operation
Scope of MAs: Reopening questions of law via Miscellaneous Applications
Pending CSE-2025: Applicability of old rules to service allocations
Executive Timelines: Granting two years for post-equivalence exercise
Extent of Relief: Parties vs non-parties and blanket mandates
What the Court Held
Relief Confined to Parties
Inter Partes: Rights determined only for specific candidates and intervenors
Exclusion: No general revision of service allocations across recruitment years
No Retrospective Reopening
Article 141 Principle: Does not unsettle selections prior to 11 March 2026
Independent Claims: Adjudicated on individual merits
CSE-2025 Service Allocations
Rejection of Union Plea: Old criteria denied despite 6 March 2026 results
Governing Rule: Judgment creamy-layer principles apply to CSE-2025
Refusal to Prescribe Timelines
Executive Domain: Policy formulation rests with executive and legislature
Protection of Seniority
Supernumerary Posts: Created to prevent affecting other officers' seniority
Time Extension: Compliance deadline extended by two months