

\$~21

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

+ LPA 45/2016 & CM Nos. 2431-24352016

DR GOPESH MEHROTRA & ORS

..... Appellants

Through: Mr. Deepak Vohra, Advocate
alongwith Mr. Abhinav Agnihotri,
Advocates.

versus

UNIVERSITY COLLEGE OF MEDICAL SCIENCES & ORS....

Respondents

Through: Mr. Amit Mahajan, CGSC for UOI.
Mr. Mohinder J.S. Rupal, Advocate
for R-3/University of Delhi.
Mr. Apoorv Kurup, Advocate for
R-4/UGC.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

%

22.01.2016

The appellant's grievance is that the order of 08.09.2014 allowing the W.P.(C) No. 1222/2014 affects their rights of promotion under the UGC regulations as applicable to the Delhi University. It is contended that the Dynamic Assured Career Progression Scheme (DACP) 2008 Scheme, which was brought in pursuant to the above impugned order, are *per se* inapplicable to the faculty and staff of the Delhi University. It was also brought to the notice of the Court that few of the writ petitioners who had approached the Court in W.P.(C) No. 1222/2014 have filed Contempt Case Civil No. 913/2004.

Learned counsel appearing on advance notice for the Delhi University submits that the appellants have already approached this Court. It is brought to the notice of the Court that an independent proceeding i.e. W.P.(C) No. 150/2016 is pending in the file of this Court where *inter alia* the writ petitioners have urged that the DACP 2008 Scheme are not applicable to the two institutions to which the appellants belong and that in any event W.P.(C) No. 1222/2014 is not conclusive as it was not proceeded with by notice of hearing to them.

In this view of the matter, the Court is of the opinion that all rights and contentions of the present appellants can be agitated in the pending writ petition i.e W.P.(C) No. 150/2016. The contentions of all parties are kept open.

In view of the above observations, learned counsel seeks permission to withdraw the appeal.

Appeal is dismissed as withdrawn.

Dasti.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

JANUARY 22, 2016

sapna