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

+ W.P.(C) 1942/2016 & C.M.Nos.8338-8339/2016

DAU DAYAL MAHILA (PG) COLLEGE Petitioner

Through Mr.Sudhir Chandra, Sr.Advocate with
Mr.Achintya Dvivedi and
Mr.Bhagabati Pd. Padhy, Advocates.

versus

UNIVERSITY GRANTS COMMISSION AND ANR.

..... Respondents

Through Mr.Apoorv Kurup, Advocate for R- 1
& 2/UGC.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **18.03.2016**

Present writ petition has been filed challenging the letters dated 29th December, 2014, 6th November, 2015 and 17th December, 2015 passed by the UGC, whereby the petitioner/Institute was directed to refund the amount of Rs.76,50,000/- released to the petitioner in 2008 for construction along with the 10% interest. By way of impugned letters, the respondent further directed that no grant under any scheme would be given to the petitioner.

Learned senior counsel for the petitioner states that the impugned letters have been issued in violation of the principles of natural justice inasmuch as no show cause notice was given to the petitioner prior to passing of the impugned letters.

Learned counsel for the respondent-UGC states that a post

decisional hearing was given to the petitioner in the present case after giving a show cause notice dated 15th February, 2015.

However, upon being asked whether a reasoned order had been passed dealing with the submissions and contentions advanced by the petitioner, learned counsel for the respondent-UGC, admits that no detailed order had been passed.

Consequently, this Court is of the view that the principles of natural justice have been violated. Accordingly, the impugned letters dated 29th December, 2014, 6th November, 2015 and 17th December, 2015 are quashed.

The respondent-UGC is directed to issue a fresh show cause notice to the petitioner within a period of four weeks. The petitioner is given an opportunity to file a detailed reply within a further period of four weeks. Upon receipt of the said reply, the respondent shall pass a speaking order and the same shall be communicated to the petitioner by way registered AD post.

With the aforesaid directions, the present writ petition and the applications are disposed of.

This Court however clarifies that it has not expressed any opinion on the merits of the controversy. The rights and contentions of all the parties are left open.

MANMOHAN, J

MARCH 18, 2016

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