

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

% *Date of Order : April 06, 2018*

+ **W.P.(C) 3303/2018 & CM Nos.12934-35/2018**

SORABH PALIWAL AND ANR. Petitioners

Through: Mr.Puneet Kumar Raid and Mr.Neeraj
Kumar Shah, Advocates with Petitioner
No.2 in person

versus

SATYAWATI COLLEGE AND ORS. Respondents

Through: Ms.Beenashaw N.Soni, Advocate for R-1
Mr.Mohinder J.S.Rupal, Mr.Prang Newmai
and Ms.Slomita Rai, Advocates for R-2
Ms.Isha Mital and Mr.Apoorv Kurup,
Advocates for R-3

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. In the first round of litigation, respondent-college was directed to consider petitioners' representations and to convey the fate of representations to petitioners, which has not been done. Learned counsel for respondent-college submits that in the minutes of the meeting of the governing body of respondent-college held on 8th March, 2018, the representations of petitioners have been decided and its fate would be shortly conveyed to petitioners. However, it is pointed out by learned counsel for respondent-college that the approval to petitioners' appointment on regular basis has been already sought from the respondent-University but

it has not been yet granted. To submit so, attention of this Court is drawn to minutes of the emergency meeting of the governing body of the respondent-college of 23rd January, 2018 (*Annexure-B colly.*). It is also brought to the notice of this Court that since the selection process to appoint petitioners could not be completed within a period of 18 months, therefore the respondent-University Grants Commission (*hereinafter referred to as UGC*) and the Comptroller and Auditor General of India are not granting approval to release of funds for paying the salary to petitioners. To submit so, attention of this Court is drawn to the communication of 28th February, 2018 vide which petitioners have been informed by the respondent-college about it.

2. Upon hearing, it becomes evident from the minutes of the emergency meeting of the governing body of the respondent-college (*Annexure-B colly.*) that respondent-college had received sanction of post in question from respondent-UGC vide letter of 21st June, 2017 and had sought approval of the Roaster from respondent-University. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition and the applications with direction to respondent-University to ensure that the post-facto approval of petitioners' appointment forwarded by the respondent-college to university, is promptly sent to respondent-UGC, if not already done. Let respondent-University Grants Commission consider granting of the approval to petitioners' appointment within a period of four weeks and if it is not done, then the reasons for not doing so, be spelt out and petitioners be intimated about it within a week thereafter, so that petitioners may avail of the remedies as available in law, if need be.

3. With aforesaid directions, this petition and the applications are disposed of.

Copy of this order be given *dasti* to learned counsel for the parties.

(SUNIL GAUR)
JUDGE

APRIL 06, 2018
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