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

+ **W.P.(C) 7923/2018**

GARGI ADHIKARI

..... Petitioner

Through: Mr. Vaibhav Srivastava, Advocate
versus

JAWAHARLAL NEHRU UNIVERSITY

..... Respondent

Through: Ms. Ginny Jetley Rautray, Advocate

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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31.07.2018

The present petition under Article 226 of the Constitution of India

prays as follows:-

“Petitioner respectfully prays that this Hon’ble Court may be pleased to:

- i) Issue a writ in the nature of certiorari quashing the order No.110/CP/2018 dated 4th July, 2018 by the Chief Proctor of the University imposing punishment on petitioner and to declare the proceedings resulting in such punishment as void being violative of the fundamental and constitutional rights of the petitioner; and
- ii) Issue a writ in the nature of certiorari quashing the impugned order vide office order No.206/CP/2016 dated 22nd August, 2016 by the Chief Proctor of the University imposing punishment on petitioner No.1 of a fine of Rs.5,000/- (Rupees Twenty Thousand Only) and the requirement of furnishing an undertaking; and
- iii) Issue a writ in the nature of certiorari quashing the order No.154/CP/2016 dated 25th April, 2016 by the Chief Proctor of the University imposing punishment on petitioner and to declare the proceedings resulting in such punishment as void being violative of the fundamental and constitutional rights of the petitioner; and

- iv) Pass any other order that this Hon'ble Court may deem fit and proper."

Issue notice.

Ms. Ginny Jetley Rautray, learned counsel accepts notice on behalf of Jawaharlal Nehru University and states that subject to the petitioner filing the following undertaking, without witnesses, they will not give effect to the impugned orders dated 04.07.2018 and 22.08.2016, issued by the Chief Proctor:-

"UNDERTAKING

I..... S/o/D/o has gone through the contents of the order dated 12th October, 2017, of the Hon'ble Delhi High Court and do hereby solemnly undertake that I will not indulge in any strike or dharna or agitation or coercive action in future in connection with the issue as per the direction of the Hon'ble High Court in the aforesaid order.

I, further undertake that I will also abide by all the rules and regulations of the University, in vogue.

Signature:

Name of the Student:

I.D. No.:

Centre/School:

Permanent Address:

Hostel/Local Address:

Mobile No.:

Email ID:

Date:

Signature of the Chief Proctor
Jawaharlal Nehru University"

In view of the statement made on behalf of counsel for Jawaharlal Nehru University, the orders dated 04.07.2018 and 22.08.2016, insofar as, it relates to the petitioner, shall not be given effect to, subject to the petitioner filing the above extracted undertaking, within a period of one week from today.

With the above directions, the writ petition is disposed of.

SIDDHARTH MRIDUL, J

JULY 31, 2018

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