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

+ **W.P.(C) 10252/2018**

SH. SURENDER NATH Petitioner

Through: Petitioner in person.

versus

UNION OF INDIA AND ANR. Respondents

Through: Ms Amrita Prakash, CGSC for UOI
with Mr Hari Shankar Sharma,
Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **28.09.2018**

CM No.39955/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 10252/2018

2. The petitioner has filed the present petition, *inter alia*, praying as under:-

“(a) issue an appropriate writ or any other order or direction declaring the document titled “Extract From The Schedule Of Delegation Of Powers To Officers In The Secretariat Of The National Council Of Educational Research 85 Training” herein referred to as “Resolution dated 11.02.1966” placed on court record in RSA 15/1991 depicting that Governing Body of NCERT did not delegate powers of Disciplinary Authority for imposing major penalties on Lecturers /Except Heads of Depts to any officer of NCERT to be illegal document invalid, null and void and non-est in law.

(b) direct the respondent NCERT to compensate the Petitioner for litigation expenses, trauma, harassment and mental stress for 38 years;

(c) Fix accountability and responsibility of NCERT officials and direct that strict action be taken against the NCERT officials responsible for fabricating the document and using it for 38 years in all courts as genuine document and illegally siphoning off government funds; taxpayer's money; in the garb of litigation expenses.”

3. It is seen that the document in question is stated to have been produced in another proceedings filed by the NCERT. The said proceedings emanated from a suit that was initiated by the petitioner (Suit No.46/85). The grievance, if any, as far as the documents produced in those proceedings are not required to be examined in these proceedings. The petitioners' claim for compensation also cannot be entertained in these proceedings under Article 226 of the Constitution of India. It would be open for the petitioner to avail appropriate remedies as available in law.

4. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

SEPTEMBER 28, 2018
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