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

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Judgment delivered on: 09.12.2021

+ W.P.(C) 7030/2020 & CM APPL. 23965-66/2020

ANITA PRIYADARSHINI

..... Petitioner

versus

INDIRA GANDHI NATIONAL OPEN UNIVERSITY & ORS.

..... Respondents

+ W.P.(C) 6540/2020 & CM APPL. 26983/2021

ANITA PRIYADARSHINI

..... Petitioner

versus

INDIRA GANDHI NATIONAL OPEN UNIVERSITY & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Pramod Gupta and Ms. Anha Rizvi, Advocates
(through VC)

For the Respondent: Mr. Aly Mirza, Advocate for R-1.

Mr. Arun Kumar, Advocate for R-2.

Mr. Neeraj, Mr. Sahaj Garg, Ms. Vedansh Anand and Ms.
Rudra Paliwal, Advocates for R-3 (through VC).

Mr. Shibashish Misra, Adv. for R-5 (through VC)

Ms. Tatni Basu, Standing Counsel for CVC/R-4 & 6
(through VC)

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

W.P(C) 7030/2020 & 6540/2020

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MAGGU
Signing Date: 10-12-2021 11:34:08
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to HMJ Sanjeev Sachdeva.

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By: JUSTICE SANJEEV
SACHDEVA
Signing Date: 09.12.2021
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JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Learned counsel appearing for the Indira Gandhi National Open University as well as the National Institute of Open Schooling submit that they have received advisory dated 01.09.2021 from the CVC stating that all vigilance related allegations against the petitioner have reached their logical conclusion and as of now there did not appear to be anything from a vigilance perspective against her and the matter is being laid to rest.

2. Learned counsel appearing for respondent No.1 further points out that a communication dated 22.09.2021 has been received from the Department of Higher Education, Vigilance section directing the Chief Vigilance officer of respondent No.1 to comply with the instructions of the CVC referred to above.

3. Learned counsel submits that pursuant to the said directions, on 24.09.2021, the Chief Vigilance Officer in compliance of the above recommendation has laid the case to rest and accordingly the proceedings against the petitioner have been closed.

4. Learned counsel appearing for respondent No.2 also submits that in view of the advice of the CVC, respondent No.2, with the approval of the competent authority, has also decided not to pursue this case any further.

5. The statements are taken on record.

6. In view of the above, petitions are accordingly disposed of with a direction to the respondent No.1 to appropriately consider the petitioner for the promotional post in accordance with law and if found eligible confer all consequential benefits. The decision on the promotion of the petitioner be taken within a period of three months.

7. In so far as prayer (b) of petitioner No.2 i.e. for initiation of an enquiry against respondent Nos.5 & 6 is concerned, as the dispute is purely factual this Court is not inclined to entertain the same in proceedings under Article 226 of the Constitution of India.

8. Petitions are disposed of in the above terms.

9. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J.

DECEMBER 09, 2021

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