



2024 : DHC : 2774



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

% Judgment delivered on: 03.04.2024

+ **W.P.(C) 12152/2023 & CM APPL. 47759/2023****MEGHA SHARMA** Petitioner

versus

UNION OF INDIA & ORS. Respondents**Advocates who appeared in this case:**

For the Petitioner : Mr.Amit Gupta, Mr.Prateek Mehta, Mr. Shiv Verma, Mr. Anshul Luthra and Mr. Chirag Vohra, Advocates

For the Respondent : Mr. Chetan Sharma, ASG with Mr. Ravi Prakash, CGSC with Ms. Astu Khandelwal, Mr.Y. Shukl and Ms. Taha Yasin, Advocates with Ms. Monica Mehra Officer for R-1
Mr. Farman Ali and Ms. Usha, Advocates for R-2
Mr. Saurabh Mishra, Ms. Bhumi Agrwal and Ms. Aasnaa Bhatia, Advocates for R-3

CORAM:**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA****JUDGMENT****TUSHAR RAO GEDELA, J. (ORAL)****[The proceeding has been conducted through Hybrid mode]****CM APPL. 16759/2024**

1. This is an application seeking early hearing of the petition.

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Signing Date: 09.04.2024
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2. For the reasons stated in the application, the same is allowed.

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3. With the consent of the parties, the present petition is taken up for disposal today.

4. After some arguments, Mr. Ravi Prakash, learned CGSC has handed over the bench a letter addressed to him by the Under Secretary to the Govt. of India dated 27.03.2024 wherein the two queries put by this Court to the learned CGSC on 18.03.2024 have been responded to by way of comments.

5. The relevant portion of the letter dated 27.03.2024 is extracted as under:-

Sl. No.	Query / Observation of Hon'ble Court	Comments of the Department
1.	Whether the termination letter issued to the Petitioner is non-stigmatic and will not have a bearing on the Petitioner's future employment avenues in any Government Department including the present Ministry.	At the outset, it is necessary to mention here that Consultancy Contract was executed between the Petitioner and Respondent no.3 (EdCIL) and there was no contract signed between the Respondent nos. 1 and 2 and the Petitioner. It is stated that the termination order was issued by the Respondent no.3 i.e. EdCIL to the petitioner, in furtherance of the view of minutes of evaluation of consultants, D/o SE&L, MoE issued the letter dated 11.09.2023 to the EdCIL. However, it is pertinent to



		mention here that the termination letter issued by the respondent no.3 EdCIL to the petitioner does not contain any stipulation or clauses that restrict him/her from seeking employment in any other government/private department, including the current Ministry. This absence of such constraints indicates that the termination letter does not impose any impediments on the consultant's ability to explore new opportunities within the government sector or the private sector etc. Thus, it is evident that the termination letter does not debar the consultant from applying for other positions or pursuing avenues for career advancement.
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6. After having considered the arguments addressed as also perusing the contents of the office order dated 14.09.2023, this Court is of the opinion that the said dis-engagement of the petitioner vide the aforesaid office order is absolutely non-stigmatic. That apart keeping in view the comments that has been tendered by the department by way of letter dated 27.03.2024 to the learned CGSC, it appears that department also does not have any objection and according to them the said letter does not contain any stipulation or clause that restrict her i.e. the petitioner



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from seeking employment in any other government /private department, including the current Ministry.

7. To the mind of this Court, the aforesaid comments of the department make it even more clearer that the dis-engagement of the petitioner's services by the office order dated 14.09.2023 is non-stigmatic. Moreover, the aforesaid comments also keep the option and avenues of the petitioner open to seek employment of any nature in any other government / private department, including the current Ministry.

8. In that view of the matter, the petition is disposed of by observing as under:-

- (i) The order dated 14.09.2023 is absolutely non-stigmatic;
- (ii) The petitioner does not face any restriction from seeking employment in any other government / private department, including the current Ministry, i.e., Ministry of Education.

9. In that view of the matter, Mr.Gupta, learned counsel appearing for the petitioner submits on instructions that the petitioner is satisfied.

10. In view of above, the petition is disposed of alongwith the pending application.

11. The letter dated 27.03.2024 is taken on record.

12. The next date, i.e. 26.07.2024 stands cancelled.

TUSHAR RAO GEDELA, J.

APRIL 03, 2024
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