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

+ **W.P.(C) 10468/2024**

ASHWANI KUMAR

.....Petitioner

Through: Mr. Abhinav Ramakrishna, Ms. Anjali Chauhan, Mr. Harshit Pandey and Mr. Ankur Gupta, Advocates.

versus

ADITI MAHAVIDHYALAYA & ORS.

.....Respondents

Through: Mr. Mohinder J.S. Rupal and Mr. Hardik Rupal, Advocates for Respondent No.2/DU.

Ms. Latika Choudhury, Panel Counsel for Respondent No.3.

Ms. Anubha Bhardwaj, CGSC with Mr. Ujjawal Choudhary and Mr. Krishna Chaitanya, Advocates for Respondent No.4/UOI.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

30.07.2024

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1. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:

“i) Stay and quash the notification dated 29.02.2024 issued by Respondent (Aditi Mahavidhayalaya) for the Recruitment of Non-Teaching staff on Contractual basis.

ii) Issue necessary order and direct respondents not to recruit college staff without prior sanction from college funding agency.

iii) Direct respondents not to delay salary of permanent Non-teaching staff of Aditi College.

iv) Pass any other or further orders which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case as well as in the interest of justice.”



2. As per the averments in the writ petition, Petitioner is an employee of Respondent No.1 College under the Non-Teaching Staff and is aggrieved with the appointment of contractual staff in the College primarily on the ground that contractual appointment is against the directive of University Grants Commission and while on one hand, the College has been delaying payment of salary to the Petitioner and similarly placed employees, on the other hand, they are misusing the funds by appointment of Non-Teaching Staff on contract basis. Concerned with the alleged misappropriation of funds by the College, Petitioner seeks quashing of Notification dated 29.02.2024 issued by the College for appointment of Laboratory Assistant and Laboratory Attendants.

3. Mr. Mohinder J.S. Rupal, learned counsel appearing on behalf of Respondent No.2/Delhi University, on advance copy of the writ petition, submits that the writ petition is wholly misconceived inasmuch as the Petitioner is admittedly working as Multi Tasking Staff ('MTS') in the College, which is also evident from page 74 of the writ petition and therefore, has no locus to challenge the Notification dated 29.02.2024, whereby the College seeks to recruit Laboratory Assistant and Laboratory Attendants.

4. Having heard the learned counsel for the parties, this Court finds merit in the submission of Mr. Rupal that Petitioner has no *locus* to challenge the recruitment of Laboratory Assistant and Laboratory Attendants as he is admittedly working as an MTS and does not belong to the aforesaid cadres. The appointment of the Petitioner as MTS is reflected from the list of Non-Teaching Staff members working at the College at page 74 of the writ petition and the relevant page is extracted hereunder for ready



reference:

“List of Non-teaching staff members working at Aditi Mahavidyalaya, Bawana

<i>S. No.</i>	<i>Name of the employee</i>	<i>Designation</i>
37	Mr. Naresh Kumar	MTS
38	Mrs. Sunita Devi	MTS
39	Mr. Manohar Singh	MTS
40	Mr. Ashwani Kumar	MTS
41	Mr. Mahendra Nishad	MTS
42	Mr. Ashu	MTS
43	Mr. Ramesh Pal	MTS
44	Mrs. Sangeeta	MTS”

5. In view of the above, Petitioner has no *locus standi* to challenge the Notification and the writ petition is dismissed being devoid of merit.

JYOTI SINGH, J

JULY 30, 2024

B.S. Rohella