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

% Judgment delivered on: 10.01.2024

+ W.P.(C) 16565/2023

VIJYANT AGARWAL ..... Petitioner

versus

NETAJI SUBHAS UNIVERSITY OF TECHNOLOGY

..... Respondents

**Advocates who appeared in this case:**

For the Petitioner : Mr. Soibal Gupta, Mr. Surendra Singh, Mr. Suresh Kumar and Mr. Himanshu Swami, Advocates.

For the Respondent : Mrs. Avnish Ahlawat, Standing Counsel for NSUT with Mr. Nitesh Kumar Singh, Ms. Laavanya Kaushik, Ms. Aliza Alam, Mr. Mohnish Schrawat, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

**JUDGMENT**

**TUSHAR RAO GEDELA, J. (ORAL)**

**(The proceeding has been conducted through Hybrid Mode)**

1. This is a petition under Article 226 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus or any other order or direction in the nature of Mandamus seeking direction of expeditious disposal of complaint dated 29.01.2021 submitted by the petitioner to the respondent in respect of his seniority on the grounds of illegal appointment made by the respondent.



2. Learned counsel for the petitioner points out to the letter dated 25.03.2019 placed at page No. 16 to submit that by the said letter, the complaint in respect of the seniority was already raised with the Vice Chancellor of NSUT i.e., the present respondent, on 25.03.2019.
3. Learned counsel submits that despite the receipt of the said letter, no action thereon was taken by the respondent.
4. Learned counsel submits that the petitioner was constrained to thereafter submit a complaint to the Lieutenant Governor of NCT of Delhi in the capacity of Chancellor of the respondent on 29.01.2021.
5. Learned counsel submits that despite the said complaint, it appears that no action thereon has been taken till date.
6. Issue Notice.
7. Notice is accepted by Ms. Laavanya Kaushik, learned counsel appearing for the respondent.
8. Ms. Kaushik, learned counsel for the respondent submits that the statement made by the learned counsel for the petitioner that the complaint dated 25.03.2019 has not been considered, is incorrect.
9. Ms. Kaushik also submits that apart from the complaint filed by the petitioner with the Hon'ble LG of Delhi dated 29.01.2021, a number of complaints were also received for which a preliminary inquiry had been conducted, which was headed by the Director of Technical Education (DTE). The matter is stated to be now pending before the Disciplinary Authority, which is the Board of Management of the respondent.



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10. In view of the above, since the matter is pending before the Disciplinary Authority, there is no reason why the Disciplinary Authority shall not pass appropriate orders in accordance with law.

11. In view of the aforesaid submissions, the Court issues a writ of Mandamus directing the Disciplinary Authority to dispose of the matter which is pending before it, in respect of the present petition and the complaint filed by the petitioner within eight weeks from the date of receipt of the order.

12. In view of the above direction, the present petition is disposed of along with pending applications.

**TUSHAR RAO GEDELA, J**

**JANUARY 10, 2024**

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