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

+ **W.P.(C) 13152/2024**

DIPTI SHARMA

.....Petitioner

Through: Mr. Anuj Kumar Chauhan, Mr.Hritik
and Mr. Shivam Bakshi, Advocates.

versus

**DELHI SKILL AND ENTREPRENEURSHIP
UNIVERSITY**

.....Respondent

Through: Mr. Shivendra Singh, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

19.09.2024

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1. This writ petition has been preferred on behalf of the Petitioner under Articles 226 and 227 of the Constitution of India seeking the following reliefs:-

“a) Issue an appropriate writ, order or direction, including in the nature of a Writ of Mandamus and/or any other direction directing the Respondent to grant the requisite Ph.D. increments from Level 10 to Level 11 and requisite promotion to the Petitioner as mandated under UGC and CAS rules.

b) Issue an appropriate writ, order or direction, including in the nature of a Writ of Mandamus and/or any other direction directing University Grants Commission to withhold from the Respondent-university, the proposed grants, for contravening the provisions of the University Grants Commission (Minimum Qualification for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education) Regulations, 2018, in case, the Respondent-university fails to adhere to the directions of this Hon'ble Court to grant the requisite five non-compounded advance Ph.D. increments and requisite promotion

c) Issue an appropriate writ, order or direction, including in the nature of a Writ of Mandamus and/or any other direction directing the



Respondent to provide the Work Experience Letter outlining all the necessary information including tenure, pay scale, date of next increment, APAR Grades, etc.

d) Issue an appropriate writ, order or direction, including in the nature of a Writ of Mandamus and/or any other direction directing the Respondent to make the payment of Rs. 1,50,000/- (Rupees One Lakh Fifty-Thousand only) as salaries for the months of November 2023 and December 2023 up-to the date of relieving i.e., 05.12.2023, along with interest at the prescribed rate.

e) Issue an appropriate writ, order or direction, including in the nature of a Writ of Mandamus and/or any other direction directing the Respondent to make the payment of the outstanding travel bills.

f) Issue an appropriate writ, order or direction, including in the nature of a Writ of Mandamus and/or any other direction directing the Respondent to make the payment of the Medical Bills to the tune of Rs. 25,000/- (Rupees Twenty-Five Thousand only).

g) Issue an appropriate writ, order or direction, including in the nature of a Writ of Mandamus and/or any other direction the Respondent to clear the Children Allowances for the period of April 2023 to November 2023.

h) Issue an appropriate writ, order or direction, including in the nature of a Writ of Mandamus and/or any other direction directing the Respondent to make the contributions in the NPS account of the Petitioner, as and when the National Pension Scheme is adopted by the Respondent-university."

2. Facts to the extent necessary are that Petitioner was appointed as an Assistant Professor (Level-10) with the Respondent/University and worked at the said post from 29.06.2022 till 05.12.2023. She was relieved on technical resignation by the University vide order dated 05.12.2023. Petitioner is aggrieved by the fact that despite the Petitioner fulfilling all pre-requisites as per the Career Advancement Scheme under the University Grants Commission (Minimum Qualification for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education) Regulations, 2018, she has been denied the benefit of five non-compounded advanced Ph.D. increments and level-ups causing a huge monetary loss to her. The additional grievance



is that Petitioner has not been paid other allowance, such as Children Education Allowance and even her medical bills have not been cleared. Petitioner also questions the non-adoption of National Pension Scheme by the University which, according to the Petitioner, is causing great prejudice to her.

3. Issue notice.

4. Mr. Shivendra Singh, learned counsel accepts notice on behalf of the Respondent.

5. It is an admitted position that no decision has been taken by the Respondent with respect to the multiple grievance raised by the Petitioner including five non-compounded advanced Ph.D. increments and level-ups. Therefore, at this stage, it would be appropriate to dispose of this writ petition directing the Respondent to treat this writ petition as a representation and take a decision thereon within a period of six weeks from the date of receipt of this order. In case the Respondent finds merit in the contentions of the Petitioner and the legal issues flagged by her, consequential benefits shall be granted to her. In case, for any reasons, the decision is otherwise, a reasoned and speaking order shall be passed which will be communicated to the Petitioner within a week from the date of the decision and Petitioner will be at liberty to take recourse to legal remedies, if so advised.

JYOTI SINGH, J

SEPTEMBER 19, 2024/shivam