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

+ **W.P.(C) 7594/2024**

MRS. X

..... Petitioner

Through: **Mr. Amar Kumar, Advocate.**

versus

**INTERNAL COMPLAINTS COMMITTEE, UNIVERSITY
COLLEGE OF MEDICAL SCIENCES THROUGH ITS
CHAIRPERSON / PRESIDING OFFICER & ORS. Respondents**

Through: **Ms. Rupali Bandhopadhy, CGSC
with Mr. Abhijeet Kumar and Mr.
Sagar Mehlawat, Advocates for R-8.
Mr. Anuj Aggarwal, ASC with Mr.
Siddhant Dutt, Advocate for R-9.**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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24.05.2024

CM APPLs. 31551-53/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 7594/2024

1. The Petitioner has approached this Court challenging the Final Report and Recommendation dated 20.08.2022 passed by Respondent No.1 i.e., Internal Complaints Committee (ICC), University College of Medical Sciences (UCMS) considering the complaint given by the Petitioner regarding sexual harassment committed on the Petitioner.
2. Section 18 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition And Redressal) Act, 2013 provides for an



alternative efficacious remedy. Section 18 reads as under:

“18. Appeal.—(1) Any person aggrieved from the recommendations made under sub-section (2) of section 13 or under clause (i) or clause (ii) of sub-section (3) of section 13 or sub-section (1) or subsection (2) of section 14 or section 17 or non-implementation of such recommendations may prefer an appeal to the court or tribunal in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal in such manner as may be prescribed.

(2) The appeal under sub-section (1) shall be preferred within a period of ninety days of the recommendations.”

3. In view of the above, this Court is of the opinion that the Petitioner must approach the Appellate Authority for redressal of her grievance. Learned Counsel for the Petitioner seeks permission to withdraw the instant writ petition with liberty to approach the Appellate Authority.

4. Permission and liberty, as sought for, are granted.

5. In the facts of the present case, this Court is inclined to exercise its discretion under Article 226 of the Constitution of India by permitting the Petitioner to file an appeal before the Appellate Authority within a period of three weeks from today. If the appeal is filed by the Petitioner within three weeks, the Appellate Authority is directed not to dismiss the appeal on the ground of limitation.

6. With these observations, the writ petition is disposed of as withdrawn, along with pending application(s), if any. It is made clear that this Court has



not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J

MAY 24, 2024

S. Zakir