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

+ **W.P.(C) 15576/2024**

JINKU BORA

.....Petitioner

Through: Mr. A.K. Singh, Ms. Samridhi Singh,
Ms. Ankita Baluni and Mr. Deepak Kumar,
Advocates.

Versus

JAMIA HAMDARD UNIVERSITY

.....Respondent

Through: Mr. Mobashshir Sarwar and Dr.
Swaroop George, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

11.11.2024

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CM APPL. 65360/2014

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking a direction to the Respondent to issue a No Objection Certificate to the Petitioner to apply for the post of Assistant Professor (Food Engineering & Technology) in Tezpur University, Assam and Assistant Professor & Associate Professor (Food Technology) in Assam Skill University, Assam, outside the Respondent University.
4. On the last date of hearing, learned counsel appearing on behalf of the
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Respondent on advance copy of the petition had handed over a copy of the Minutes of the 69th Meeting of the Executive Council of Jamia Hamdard held on 07.08.2024 wherein it was resolved to impose the penalty of withholding of two future increments without cumulative effect on the Petitioner with a further rider that during the currency of the punishment, Petitioner shall not be entitled to any upgradation or promotion under CAS as per disciplinary rules. It was also resolved that Petitioner would submit a written apology to the complainants through ICC with an assurance that he will not repeat such acts failing which his services will be liable to be terminated.

5. Learned counsel for the Petitioner submits that on the very night of 08.11.2024, a final order dated 08.11.2024 was served on the Petitioner whereafter noting the resolution of the Executive Council, the Disciplinary Authority in terms of Clause 10 of the UGC (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Studies in HEIs) Regulations, 2015 has imposed punishment of withholding of two future increments without cumulative effect and further that during the currency of the punishment, Petitioner shall not be entitled to any upgradation/promotion under CAS as per the disciplinary rules.

6. Faced with this, learned counsel for the Petitioner, on instructions, seeks to withdraw this writ petition to seek a No Objection at an appropriate stage as also to challenge the penalty order.

7. Writ petition is disposed of as withdrawn with liberty as prayed for in accordance with law.

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8. Order dated 08.11.2024 is taken on record. It is made clear that this Court has neither entered into nor expressed any opinion on the merits of the case.

JYOTI SINGH, J

NOVEMBER 11, 2024/shivam

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