



\$~2

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 5492/2017 & CM APPL. 7824/2018

KISHOR MESHRAM

..... Petitioner

Through: Mr.Nitin Meshran and Mr. Rishi Raj
Singh, Advocates

versus

JAWAHARLAL NEHRU UNIVERSITY & ANR Respondents

Through: Ms. Ginny J. Rautray, Mr. Navdeep
Singh, Ms. Devika Thakur and Mr.
Ranvijay Singh, Advocates

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

07.05.2024

%

(The proceeding has been conducted through Hybrid Mode)

1. After some arguments, learned counsel for the petitioner submits that the petitioner may need to challenge the Reservation Policy itself of respondent no.1-university on the anvil that it is violative of Reservation Policy of Government of India and also falls foul of the judgment of the Supreme Court in *R. K. Sabharwal Vs. State of Punjab & Ors.* reported in 1995 SCC (2) 745.

2. On instructions from the petitioner, therefore, learned counsel seeks to withdraw the present petition with liberty to file a fresh writ petition challenging the *vires* of the said Reservation Policy of respondent no.1-university, seeking further liberty to raise the arguments and contentions raised in the present petition in the fresh writ petition.



3. Ms. Rautray, learned counsel for the respondent submits that she would have no objection in case the rights and contentions of the respondent no.1-university are kept reserved.
4. In view of the above, since the present petition has not been decided on merits, the same is permitted to be withdrawn with liberty to the petitioner to challenge the *vires* of Reservation Policy of JNU in terms of the law laid down by the Supreme Court in ***R. K. Sabharwal (Supra)***.
5. The rights and contentions of the respondent-university is kept reserved to be raised again in the fresh writ petition, if and when filed.
6. In view of above, the present petition along with the pending application is dismissed as withdrawn with liberty so sought granted.

TUSHAR RAO GEDELA, J

MAY 7, 2024

ms