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

+ W.P.(C) 8186/2022  
SUHAIL AHMAD

.....Petitioner

Through: Dr. Amit George, Mr. Mobashshir  
Sarwar, Advocates.

versus

JAMIA MILLIA ISLAMIA

.....Respondent

Through: Mr. Prithish Sabharwal, SC with  
Ms. Shweta Singh, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

% **01.09.2025**

1. By way of this petition under Article 226 of the Constitution, the petitioner challenges an order dated 23.08.2021 passed by the respondent – Jamia Millia Islamia [“JMI”], by which his services were terminated, and an order dated 28.01.2022, whereby the termination order was affirmed in appeal by the Registrar of JMI.
2. Several grounds have been argued with regard to the impugned orders, including the inquiry proceedings, the procedure before the Executive Council, and the disposal of the appeal by the Registrar rather than by the Executive Council.
3. Mr. Prithish Sabharwal, learned counsel for JMI, submits, upon instructions, that a decision has been taken by JMI to revoke all orders from the stage of service of the chargesheet and submission of the petitioner’s reply thereto, and to hold an inquiry anew in accordance with



law.

4. Dr. Amit George, learned counsel for the petitioner, who is instructed by the petitioner, present in person, states that this course is acceptable to the petitioner.

5. Learned counsel on both sides also accept that the petitioner had been placed under suspension with effect from 17.06.2020 and was paid subsistence allowance until the impugned termination order.

6. As a result of the decision taken by JMI, and the clock having been put back to the stage of the chargesheet and reply, the petitioner will remain under suspension until the conclusion of the inquiry proceedings, unless the suspension is revoked. The natural consequence is that he will be entitled to subsistence allowance, including arrears for the period during which subsistence allowance has not been paid.

7. In view of the aforesaid submissions, the writ petition is disposed of with the consent of learned counsel for the parties, in the following terms:

- A. The impugned orders dated 23.08.2021 and 28.01.2022 are set aside.
- B. The respondent is at liberty to take up the proceedings afresh from the stage of the chargesheet issued on 18.08.2020 and the reply thereto dated 20.08.2020.
- C. The respondent is at liberty to supply any further documents to the petitioner, as sought in the aforesaid reply, within two weeks from today.
- D. The petitioner may file a further reply within two weeks thereafter.  
In the event no further documents are supplied, the petitioner is



directed to file his comprehensive reply to the chargesheet, in which he will be at liberty to take the point with regard to the allegation of non-supply of documents.

E. The matter will proceed from the stage of inquiry in accordance with law.

F. The respondent will pay arrears of subsistence allowance to the petitioner for the period until 31.08.2025, within a period of eight weeks from today. Subsistence allowance for the period from 01.09.2025 and onwards be paid in accordance with law.

8. Mr. Sabharwal submits that the respondent may be granted liberty to amend the list of witnesses. I do not consider it appropriate to grant any order in this regard in this writ petition. If such liberty is available to the respondent, it can always be exercised in accordance with law.

9. It is made clear that this order has been passed in view of the procedural infractions admitted by the respondent and does not intend to make any observation on the merits of the charges levelled against the petitioner.

**PRATEEK JALAN, J**

**SEPTEMBER 1, 2025**

*“Bhupi/Jishnu”/*