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

+ W.P.(C) 4924/2025

MUBASSHIR HASAN

.....Petitioner

Through: Mr. Rajbir Singh Sagar, Advocate.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Mridul Jain, SPC with Mr. Pradeep Shukla, GP for R-1.

Mr. Kamal Mehta, Advocate for LIC.

Mr. S. Rajappa, Mr. R. Gowrishankar, and Ms. G. Dhivyasri, Advocates for KV.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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21.04.2025

1. The petitioner has filed this petition under Article 226 of the Constitution, pertaining to an application made by him for admission of his son in Kendriya Vidyalaya, Muzaffarnagar.

2. The factual situation in the case is that the petitioner is employed as a Development Officer with Life Insurance Corporation of India ["LIC"] since 02.12.2019. His application for his son's admission in Kendriya Vidyalaya, Muzaffarnagar, was made on 13.03.2025, in connection with which he required a certificate from LIC stating that he is a regular employee of LIC. A copy of the said certificate sought by him has been placed on record [Annexure P7].

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3. I have heard Mr. Rajbir Singh Sagar, learned counsel for the petitioner, Mr. Kamal Mehta, learned counsel for LIC, and Mr. S. Rajappa, learned counsel for Kendriya Vidyalaya.

4. A difficulty has arisen because it is the case of LIC that the petitioner remained on unauthorised absence from 27.08.2024 to 21.01.2025, and has also submitted his resignation.

5. The petitioner claims that his absence from duty was due to a medical condition, and a valid medical certificate was submitted. It is also submitted that his resignation has not been accepted by LIC.

6. Mr. Mehta does not dispute that the petitioner's resignation has not been accepted, but submits that a termination order has been passed against the petitioner on 24.02.2025, under Rule 7 of the Life Insurance Corporation of India Development Officers (Revision of Certain Terms and Conditions of Service) Rules, 2009 (as amended) ["the Rules"]. A copy of the said termination order has been handed up in Court, and is taken on record. Suffice it to note that the termination order records that the petitioner's services as a Development Officer "*shall stand terminated on the expiry of three months from the date of receipt of this order by [the petitioner]*", in terms of the provisions of the Rules. In these circumstances, Mr. Mehta accepts that the termination order has not yet been brought into effect as the rule is effective only after three months from the date of receipt of the order. As the date of the order itself is 24.02.2025, evidently the termination order cannot take effect prior to 24.05.2025.

7. The petitioner's resignation having not been accepted, and the termination order being only effective from a future date, it is evident that



as of today, the petitioner remains an employee of LIC.

8. Mr. Rajappa has taken instructions, and submits that the admission of the petitioner's son is contingent upon a certificate, which pertains to the current status of the petitioner as an employee of LIC, and does not pertain to the future status of the petitioner's employment.

9. In the facts mentioned above, as the petitioner remains an employee of LIC as of today, I do not see any impediment to issuance of the certificate by LIC so stated to this effect. LIC is, therefore, directed to issue a certificate in these terms to the petitioner within three days from today, as the last date for completion of the admission formalities is 28.04.2025. The admission granted to the petitioner's son will naturally be subject to the Rules and Regulations of Kendriya Vidyalaya.

10. The petition is disposed of with these directions.

11. It is made clear that the issuance of the certificate will not create any special equities in the petitioner's favour, with regard to the termination order or the status of his employment in future.

PRATEEK JALAN, J

APRIL 21, 2025

SS/AD/