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

+ W.P.(C) 5829/2025

ADITYA INSTITUTE OF TECHNOLOGY THROUGH ITS
FOUNDER-CUM-CHAIRMAN DEVENDRA GUPTA.....Petitioner

Through: Advocate (appearance not given)
versus

LT. GOVERNOR OF DELHI & ORS.

.....Respondents

Through: Mr. Sameer Vashisht, SC, Mr. Dhruv
Rohatgi and Mr. Swapan Singhal,
Advts.

Mr. Anupam S. Sharma, SPP, Ms.
Harpreet Kalsi and Mr. Ripudaman
Sharma, Advts. for R-2.

Mr. B.S. Rawat, CI, DTTE for R-1, 2
and 4 to 8.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **20.05.2025**

1. The present petition assails an order dated 11.04.2025 [hereinafter '*the impugned order*'] passed by the Board of Technical Education, Government of NCT of Delhi whereby the complaint(s)/representation(s) dated 09.09.2024 and 15.09.2024 filed by the petitioner were disposed of.
2. It transpires that the order disposing of the aforesaid complaints has been passed by one Mr. S.P. Meher, Controller, Board of Technical Education (BTE) i.e. one of the persons against whom the complaint was directed.
3. The caption of the complaint/representation dated 09.09.2024 reads as under:



*“Complaint against (1) Ms. R. Alice Vaz, Secretary, Training and Technical Education, Government of NCT of Delhi, Muni Maya Ram Marg, Pitampura, Delhi; (2) Shri Bhupesh Chaudhary, Director, Training and Technical Education Government of NCT of Delhi, Muni Maya Ram Marg, Pitampura, Delhi; (3) **Shri S.P. Meher, Controller, Board of Technical Education, Government of NCT of Delhi, Muni Maya Ram Marg, Pitampura, Delhi,** and, (4). Dr. Harnamo Ram, Registrar, Government of NCT of Delhi, Muni Maya Ram Marg, Pitampura, Delhi.”*

It is noticed that the caption of the complaint / representation dated 15.09.2024 also includes the name of Mr. S.P. Meher.

4. As such, the complaints / representations which have been disposed of vide the impugned order, were directed, *inter-alia*, against the person who has passed the impugned order disposing of the complaint/s.

5. In the circumstances, the only contention made by learned counsel for the petitioner is that the complaint could not have been disposed of by the very person against whom it was directed.

6. Learned counsel for the respondent is not in a position to controvert that the complaint of the petitioner was required to be considered by someone other than the officer/s, against whom, the same was directed. He, however, submits that the impugned order has been passed on the directions of the concerned Secretary of the Department and Mr. S.P. Meher, Controller, Board of Technical Education was only the conveying authority.

7. Be that as it may, it is trite that the principles of natural justice require that the officers against whom the complaint was directed, be excluded from the purview of the decision-making process altogether.

8. In the circumstances, the impugned order dated 11.04.2025 is set aside.

9. At this stage, learned counsel for the respondents submits that another



competent officer shall be deputed to consider and pass appropriate order/s on the complaint(s) / representation(s) filed by the petitioner, after affording an opportunity of hearing to the petitioner. Let the same be done expeditiously and preferably, within a period of 12 weeks from today.

10. The petition is disposed of in the above terms.

SACHIN DATTA, J

MAY 20, 2025/cl