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

+ **CONT.CAS(C) 762/2024 & CM APPL. 27584/2024**

ADITYA SARKAR AND ORSPetitioners

versus

DR GAGAN DHAWAN REGISTRAR
DELHI SKILL AND ENTREPRENEURSHIP
UNIVERSITY AND ANR

.....Respondents

+ **W.P.(C) 5701/2024, CM APPL. 23544/2024 & CM APPL. 31182/2024**

ADITYA SARKARPetitioner

versus

DELHI SKILL AND ENTREPRENEURSHIP
UNIVERSITY AND ORS

.....Respondents

Appearances: Mr. S.K. Lal, Advocate for Petitioner in Item Nos. 5 & 6
Mr. Shivendra Singh & Ms. Prakriti Rastogi,
Advocates for Respondent-DSEU in Item Nos. 5 & 6.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **28.01.2025**

CONT.CAS(C) 762/2024 & CM APPL. 27584/2024

1. The petitioners have filed this contempt petition alleging contempt of the following directions contained in order dated 24.04.2024:-

“8. Notice is accepted by Mr. Shivendra Singh, learned counsel appearing for the respondent. Mr. Singh submits that as of now there is no proposal for dis-engaging the service of the present petitioners. He submits that the advertisement is only with respect to the engagement of services of an incumbent of deputation basis. He,



however, submits that the proposal etc. on this aspect would be placed before this Court within two weeks from today.

9. In the meanwhile, keeping in view the above facts, the petitioners shall not be replaced by another set of contractual employees.

10. He submits that the petitioners were originally engaged by DTTE and as such their presence would be necessitated in the present writ petition. At the request of learned counsel appearing for the respondent, the Directorate of Training and Technical Education, GNCTD may be impleaded as party respondent.”

2. In the course of hearing, Mr. Shivendra Singh, learned counsel for the respondents, states that the petitioners were never replaced by any other set of contractual employees, and in fact have been re-engaged by respondent-Delhi Skill and Entrepreneurship University with effect from 10.07.2024.

3. Mr. S.K. Lal, learned counsel for the petitioner, accepts that the petitioners have been re-engaged, but submits that there was a gap of nine days between the expiry of their last contract and their re-engagement.

4. As far as this aspect is concerned, I am of the view that the question requires consideration in the writ petition. The operative order was only restraining the respondent from replacing the petitioners with other set of contractual employees. Upon the Court's query, Mr. Lal clearly states that there is no allegation that another set of contractual employees was engaged by the respondents.

5. In view of the above, I am of the view that this is not an appropriate case for initiation of contempt proceedings.

6. The rights and contentions of the parties in the writ petition remain reserved.

7. The contempt petition, alongwith the pending application, is



disposed of with these observations.

CM APPL. 31182/2024 (for impleadment in the present writ petition) in W.P.(C) 5701/2024

1. This application has been filed by 56 persons seeking impleadment as petitioners in the writ petition on the ground that they are in the same position as the petitioners.
2. Issue notice. Mr. Shivendra Singh, learned counsel, accepts notice on behalf of the respondents.
3. The respondents may file their replies to the application within four weeks from today. Rejoinder thereto, if any, may be filed within two weeks thereafter.
4. List before the learned Registrar for completion of pleadings 03.03.2025.
5. List alongwith the writ petition on 21.05.2025.

W.P.(C) 5701/2024 & CM APPL. 23544/2024

1. The respondents are directed to file their counter affidavits to the writ petition within four weeks from today, wherein they will also state the subsequent events which have taken place during the pendency of the writ petition. Rejoinder thereto, if any, may be filed within two weeks thereafter.
2. List before the Court on 21.05.2025.

PRATEEK JALAN, J

JANUARY 28, 2025

‘pv/AD’/