



2025:DHC:5762-DB



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 18.07.2025

+ LPA 452/2025
HARSHWATI

.....Appellant

Through: Mr. RK Saini, Mr. Dashmesh
Tripathi & Ms. Saloni Mahajan,
Advs.

versus

NATIONAL LAW UNIVERSITY DELHI & ANR.

.....Respondents

Through: Mr. Sanjay Vashishta, SC with
Mr. Siddharth Goswami, Ms.
Geetanjali Reddy & Mr. Aditya
Sachdeva, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (Oral)

CM APPL. 42564/2025 (Exemption)

1. Allowed, subject to all just exceptions.

LPA 452/2025 & CM APPL. 42563/2025 (Stay)

2. This appeal has been filed challenging the Order dated 08.07.2025 passed by the learned Single Judge of this Court in W.P.(C). 9322/2025, titled ***Harshwati v. National Law University Delhi & Anr.***, issuing notice on the writ petition filed by the appellant seeking regularisation to the post of Coordinator, Legal Aid Clinic with the respondent.

3. As far as the *interim* relief is concerned, the learned Single Judge by the Impugned Order has passed the following direction:



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“10. At this stage, the only clarification possible is that any appointment made to the post of CLAC will abide by the outcome of the writ petition. The University will inform the selected candidate about the pendency of this writ petition, and an appropriate endorsement to that effect should be incorporated in the appointment letter as well. The details of the selected candidate also be communicated to the petitioner and her learned counsel to enable them to take appropriate steps.”

4. The learned counsel for the appellant submits that the learned Single Judge has failed to appreciate that the claim of the appellant was for regularisation to the said post. He further submits that now that the post had been created, the appellant who was working on the said post since 30.03.2013, should have been directed to be regularised to the said post rather than letting the recruitment process to continue.

5. In support of his plea, the learned counsel for the appellant places reliance on the judgments of the Supreme Court in;

- a) ***State of Karnataka vs. M.L. Kesari & Ors.***, AIR 2010 SC 2587;
- b) ***Nihal Singh & Ors. vs. State of Punjab & Ors.***, AIR 2013 SC 3547; and
- c) ***Jaggo vs. Union of India & Ors.***, 2024 INSC 1034.

6. We have considered the submission made by the learned counsel for the appellant.

7. By the Impugned Order, as noted hereinabove, the learned Single Judge has issued notice on the petition filed by the appellant seeking regularisation to the post of Coordinator, Legal Aid Clinic.



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8. The learned Single Judge has also balanced the equities by considering the *prima facie* case, balance of convenience and irreparable harm and damage, by directing that any appointment made to the said post will be subject to the outcome of the writ petition and the respondent shall duly inform the selected candidate about the pendency of the same.

9. The learned Single Judge has also given a relatively short date for the final hearing and decision on the writ petition.

10. Certainly, the writ petition could not have been allowed without giving an opportunity to the respondent to file its say in the same. The relief of direction to regularise the appellant can only be the final relief and not an *interim* relief.

11. We, therefore, find no infirmity in the order passed by the learned Single Judge.

12. The appeal along with pending applications, if any, is accordingly dismissed.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

JULY 18, 2025/pr/kj/ik