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

+ W.P.(C) 12613/2024

ARYAN MAAN

.....Petitioner

Through: Mr. Siddharth Batra, Mr. Rhythm Katyal, Ms. Shivani Chawla, Mr Chinmay Dubey, Advocates.

versus

DELHI UNIVERSITY AND ORS.

.....Respondents

Through: Mr. Ashutosh Singh and Mr. G.K. Pathak, Advocates for R1.

Ms. Monika Arora, CGSC with Mr. Subhrodeep Saha, Mr. Prabhat Kumar and Ms. Anamika Thakur, Advocates for Hansraj College.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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06.05.2025

CM APPL. 24306/2025

1. The present application has been filed by the applicant/petitioner seeking disposal of the writ petition in light of the admissions made by respondent nos. 2 and 3 in their counter-affidavit especially *apropos* non-consideration of suspension as a disciplinary action under the Lyngdoh Committee Recommendations.
2. The learned counsel appearing on behalf of the petitioner invites attention of the Court to Para 4 of the application wherein excerpts from the counter-affidavit of respondent nos. 2 and 3 have been quoted. The relevant para of the same reads as under:



“4. That in the Counter Affidavit filed by Respondent Nos. 2 and 3, the College has made the following admissions, which are of significant importance in the present matter:

4.1. In **Para No. ii** of the Counter Affidavit under "Preliminary Submissions," it has been admitted that-

"Suspension is not the disciplinary action taken against the Petitioner but only a measure taken by the College to keep the Petitioner away from the mischief range pending enquiry."

4.2. In **Para No. vii**, it is stated that-

"LCR (i.e., the Lyngdoh Committee Recommendations) does not contemplate suspension as a criterion to disqualify a candidate from contesting election."

4.3. In **Para No. 25**, the College in its Counter Affidavit submits that suspension is not considered a punishment and is only an interim measure in aid of disciplinary proceedings so that the delinquent may not gain custody or control of papers or take any advantage of his position. The foregoing submissions have been backed by judicial precedents of the Hon'ble Supreme Court of India in **State of Orissa v. Bimal Prasad Mohanty [(1994) 2 SCR 51]** and **Union of India v. Ashok Kumar Aggarwal, Civil Appeal No. 9454 of 2013.**"

3. The learned counsel appearing on behalf of the petitioner submits that the only concern of the present petitioner was that the action of suspension taken by the respondent College against the present petitioner should not be construed as disciplinary action. He submits that this position has been clarified by the respondent nos. 2 and 3 in their counter-affidavit.

4. In the counter-affidavit, respondent nos. 2 and 3 have clearly stated that the suspension of the petitioner is not a disciplinary action taken against him but only a measure taken by the College to keep the Petitioner away from the mischief range pending enquiry.



5. It has been further clarified that the Lyngdoh Committee recommendations do not contemplate suspension as criterion to disqualify a candidate from contesting election.
6. The learned counsel for the respondent nos. 2 and 3 submits the said respondents stand by the averments made in their counter-affidavit.
7. In view of the above, the present petition is disposed of in terms of the stand taken by the respondent nos. 2 and 3 in their counter-affidavit.
8. Application stands disposed of.
9. The date already fixed i.e. 29.08.2025 stands cancelled.

MAY 6, 2025/jg

VIKAS MAHAJAN, J