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

+ W.P.(C) 13467/2025 & CM APPL. 55343/2025

REHAN

.....Petitioner

Through: Ms. Anha Rizvi and Mr. Ritesh Dhar
Dubey, Advs.

versus

JAMIA MILLIA ISLAMIA & ORS.Respondents

Through: Mr. Pritish Sabharwal, Standing
Counsel with Mr. Sanjeet Kumar and
Ms. Shweta Singh, Advs. for JMI.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **25.09.2025**

1. The present petition has been filed assailing the impugned order dated 28.04.2025 passed by the respondents/University against petitioner whereby petitioner has been expelled for three years from his course.
2. The sole ground on which the present petition has been pivoted by petitioner is that expulsion is a major penalty and before imposing such penalty, principles of natural justice have not been complied with.
3. Ms. Anha Rizvi, learned counsel appearing on behalf of petitioner has invited attention of the Court to Clause 5 of Ordinance 14 (XIV) of Jamia Milia Islamia University, which reads thus:

“5. Students found guilty of breach of discipline shall be liable to such punishment, as prescribed below:

- (1) Fine;*
- (2) Campus Ban;*



(3) *Expulsion; and*

(4) *Rustication*

However, no such punishment shall be imposed on a erring student unless he is given a fair chance to defend himself. This shall not preclude the Shaikhul-Jamia (Vice-Chancellor) from suspending an erring student during the pendency of disciplinary proceedings against him.”

4. A perusal of Clause 5 of Ordinance 14 (XIV) shows that it provides for four kinds of punishments that can be imposed against a student who is found guilty of breach of discipline. The same are : (i) Fine; (ii) Campus Ban; (iii) Expulsion; and (iv) Rustication.

5. However, the latter part of said Clause 5 makes it evident that before imposing such punishment on erring student, a fair chance to defend himself has to be afforded.

6. On a pointed query posed by the Court as to whether any show cause notice was given to petitioner or he was given a fair chance to defend himself, Mr. Pritish Sabharwal, learned Standing Counsel appearing on behalf of the respondents fairly states that no show cause notice was given to the petitioner.

7. In that view of the matter, this Court is of the considered opinion that impugned order dated 28.04.2025 passed against the petitioner, cannot be sustained. Accordingly, the said order is quashed and set aside.

8. It is clarified that this will not preclude the respondent/University from initiating fresh proceedings against petitioner after complying with principles of natural justice as embodied in Clause 5 of Ordinance 14 (XIV) of the University.

9. At this stage, Mr. Sabharwal submits that on an earlier occasion as



well, order dated 14.10.2024 was passed against the petitioner suspending him with immediate effect from his course, pending outcome of the inquiry of Disciplinary Committee.

10. Without going into the merits of allegations made by Mr. Sabharwal, it is observed that respondents shall remain bound by the aforesaid order dated 14.10.2024 passed by respondents/University, till the time it is set aside.

11. The petition along with pending application stands disposed of, in the aforesaid terms.

VIKAS MAHAJAN, J

SEPTEMBER 25, 2025

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