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

+ W.P.(C) 13583/2025, CM APPL. 55726/2025 & CM APPL. 55727/2025

KRISHNA MENON & ORS.

.....Petitioners

Through: Mr. Abhik Chimni, Mr. Gurupal Singh, Ms. Pranjal Abral, Mr. Rishabh Gupta, and Mr. Ayan Dasgupta S., Advocates.

versus

DR B.R. AMBEDKAR UNIVERSITY DELHIRespondent

Through: Mr. Mohinder J.S. Rupal, Mr. Hardik Rupal, Ms. Aishwarya Malhotra, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **03.09.2025**

1. The petitioners are employed with the respondent – Dr. B.R. Ambedkar University Delhi [“the University”] as teaching faculty. They were appointed between 2009 and 2016 and were absorbed as regular employees of the University between 2013 and 2017.
2. Upon their employment in the University, they submitted their technical resignations/voluntary retirement letters to their erstwhile employer, namely, the University of Delhi.
3. The grievance raised in this writ petition is that the respondent-University has suddenly started making deductions from their salaries from June/July 2025. The only reason disclosed is contained in an e-mail



dated 30.06.2025, stating that their pay has been revised with effect from June 2025 in accordance with a Department of Personnel and Training [“DoPT”] Office Memorandum dated 31.07.1986 regarding fixation of pay of re-employed pensioners.

4. The petitioners have represented against the aforesaid refixation on 03/04.07.2025, but have not received a response to their representations.

5. Mr. Abhik Chimni, learned counsel for the petitioners, submits that no notice or reasons were disclosed to the petitioners prior to revision of their pay. Although the reasons have not been elaborately disclosed even now, he submits that the DoPT Office Memorandum dated 31.07.1986 referred to does not apply to the petitioners, who have not been re-employed after superannuation but have been absorbed in the respondent-University by way of fresh employment, having resigned/retired prematurely from their erstwhile employer. He draws my attention, in this connection, to Regulation 2.3.2 of the University Grants Commission (Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Other Measures for the Maintenance of Standards in Higher Education) Regulations, 2010, as well as to communications issued by DoPT to the University in 2013. These communications clearly state that appointment by way of permanent absorption in autonomous organisations after resignation from the Central Government is not to be treated as re-employment, but as fresh employment, and that pay is required to be fixed in accordance with the Rules without deduction on account of pension already drawn.

6. Mr. Mohinder J.S. Rupal, learned counsel for the University, submits that the petitioners’ representations will be considered and a



reasoned order will be passed within the next two weeks. The grounds taken in the petition will also be considered in the said order.

7. If the University comes to the conclusion that the salaries of the petitioners have been wrongly deducted from June 2025 onwards, it is directed to remit the deducted amount within a period of four weeks thereafter. In the event it comes to the conclusion that the amount has been rightly deducted, it will communicate the same to the petitioners as aforesaid, and the petitioners' right to approach this Court shall remain reserved.

8. As the representations are to be decided well before the next salary falls due to the petitioners, no further orders are required.

9. The writ petition, alongwith the pending applications, is disposed of with the aforesaid directions.

10. Copy of this order be given *dasti* under the signature of the Court Master.

PRATEEK JALAN, J

SEPTEMBER 3, 2025

'Bhupi/JM'/'