



\$~2, 3, 12 to 16 and 83

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

+ W.P.(C) 13990/2025

SARITA

.....Petitioner

versus

LT. GOVERNOR OF DELHI AND ORS

.....Respondents

+ W.P.(C) 9247/2025

ABHILASHA BAJAJ

.....Petitioner

versus

LT. GOVERNOR OF DELHI & ORS.

.....Respondents

+ W.P.(C) 8961/2025

NEERJA DESWAL

.....Petitioner

versus

LT. GOVERNOR OF DELHI & ORS.

.....Respondents

+ W.P.(C) 9036/2025

NITU RANA

.....Petitioner

versus

LT. GOVERNOR OF DELHI & ORS. & ORS.

.....Respondents

+ W.P.(C) 9037/2025

ASHA

.....Petitioner

versus

LT. GOVERNOR OF DELHI & ORS.

.....Respondents

+ W.P.(C) 9310/2025

DR. SURUCHI SINGH

.....Petitioner



versus

LT. GOVERNOR OF DELHI AND ORS

.....Respondents

+ W.P.(C) 10980/2025

DR MAHAVEER

.....Petitioner

versus

LT GOVERNOR OF DELHI AND ORS.

.....Respondents

+ W.P.(C) 14270/2025 & CM APPL. 58464/2025

MANJU

.....Petitioner

versus

LT. GOVERNOR OF DELHI AND ORS

.....Respondents

Appearances:

Mr. C. Parkash, Mr. Shreya Tawar, Mr. Ankit Verma, Advocates for petitioners in item 3, 12 to 14.

Ms. Beenashwa Soni, Ms. Mansi Jain, Advocate for College in item No. 16.

Mr. Akshit G., Advocate for petitioner in item No. 16.

Mr. Yeeshu Jain, ASC with Ms. Jyoti Tyagi, Advocate for R-1 and 2 in item No. 3.

Mr. Ankur Chhibber, Mr. Anshuman Mehrotra, Advocates for DU in item Nos. 3 and 16.

Dr. Monika Arora, Mr. Subhro Deep Saha, Mr. Prabhat Kumar,
Advocates for R-4 in item Nos. 2&3 and 12 to 15.

Mr. Gaurav Dhingra, Mr. Shashank Singh, Advocates for R-1 and 2 in item Nos. 12 to 16.

Ms. Saahila Lamba, Ms. Shayna Das Pattanayak, Ms. Nidhi Sharma,
Advocates for petitioners in item Nos. 83, 15 and 2.

Ms. Latika Choudhary, Advocate for GNCTD in item No. 83.

Mr. Mohinder Rupal, Mr. Hardik Rupal, Ms. Aishwarya, Advocates for DU.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

16.09.2025

W.P.(C) 13990/2025 & connected matters.

Page 2 of 6



W.P.(C) 14270/2025

1. Issue notice. Ms. Latika Choudhary, learned counsel, accepts notice on behalf of respondent No. 2 – Government of National Capital Territory of Delhi [“GNCTD”]. Mr. Mohinder Rupal, learned counsel, accepts notice on behalf of respondent No. 3 – University of Delhi. Mr. Subhro Deep Saha, learned counsel, accepts notice on behalf of respondent No. 4 – Aditi Mahavidyalaya.

2. As several other writ petitions involving the same issue are listed today, this petition is also taken up for hearing with the consent of learned counsel for the parties.

W.P.(C) 13990/2025, W.P.(C) 9247/2025, W.P.(C) 8961/2025, W.P.(C) 9036/2025, W.P.(C) 9037/2025, W.P.(C) 9310/2025, W.P.(C) 10980/2025, W.P.(C) 14270/2025

3. All these petitions have been filed by members of faculty of Aditi Mahavidyalaya and Deen Dayal Upadhyaya College, which are constituent colleges of the University of Delhi. The petitioners were all promoted from the post of Assistant Professor to Associate Professor, and/or from Associate Professor to Professor. Consequential orders were issued for fixation of their pay. They seek release of payment of arrears of pay, consequent upon their promotion.

4. It is unnecessary to delve into the factual details of each case, as the petitioners’ entitlement is not disputed by the respondents. In fact, several judgments of this Court have considered similar cases and granted relief in favour of the petitioners therein. In this connection, reference may be made *inter alia* to the judgments in *Sh. Vikash Chaudhary v. Lt.*



Governor of Delhi & Ors. [W.P.(C) 14342/2024, decided on 22.10.2024], *Dr. Uma Nijhawan v Lt. Governor of Delhi & Ors.* [W.P.(C) 15442/2024, decided on 06.11.2024], *Dr. Ansul Rao v. Lt. Governor of Delhi & Ors.* [W.P.(C) 15566/2024 & connected matters, decided on 08.11.2024], and *Dr. Pushpa Yadav v. Lt. Governor of Delhi & Ors.* [W.P.(C) 16687/2024, decided on 03.12.2024]. Although some of the aforesaid cases concerned different colleges, the question of the petitioners' entitlement remains uncontested.

5. Learned counsel for the Colleges and GNCTD, however, join issue as to the responsibility for the present state of affairs. According to the Colleges, they are not being adequately funded by GNCTD. Learned counsel for GNCTD, however, submit that tranches of substantial funding have been released both to Deen Dayal Upadhyaya College and Aditi Mahavidyalaya, only in July/August 2025. They submit that the Colleges have, in fact, been directed to liquidate the claims of the petitioners and similarly placed teachers in the first instance. Learned counsel for the Colleges, however, submit that the funding released is inadequate to meet the operational expenses, including current salaries, and also defray arrears, as payable to the petitioners.

6. This issue has also been considered in the judgment of this Court in *Dr. Manisha v. Lt. Governor of Delhi & Ors.* [W.P.(C) 14334/2024 and connected matters, decided on 22.10.2024], wherein the Court observed as follows:

“31. Insofar as the College is concerned, the stand as always is that it is willing to disburse the arrears but is unable to do so in the absence of budget and allocation of funds from the concerned Authorities. The other Respondents plead lack of budgetary allocations, a routine argument in every similar matter.



32. Having heard learned counsels for the parties, I may only note that these writ petitions reflect a very sorry state of affairs. The common thread that runs in these petitions is that despite the Petitioners being eligible for promotions to different posts, there was total inaction on the part of the University/Colleges in taking steps towards promotions for over a decade. Finally, the said Respondents woke up from their deep slumber in 2021 and carried out the promotion exercise and Petitioners were promoted from their due dates eligibility. **Having received promotions on paper, Petitioners till date are struggling to receive the fruits of their promotions which admittedly came belatedly. Pay fixations on the promoted posts have been carried out and approvals have been received still arrears have not been released to the Petitioners and going by the common stand the hindrance is 'budgetary allocations'.** Mr. Sanjay Sharawat is right in his contention, which he painfully articulates that despite earlier orders of this Court granting opportunity to the Directorate of Higher Education, Colleges and the University to hold high level meetings to work out the modalities for releasing arrears of pay to the Petitioners therein, no action has been taken and it appears that the Respondents have scant regard for the orders of this Court. **There can be no trace of doubt that an employee on promotion cannot be deprived of the benefit of the higher pay scale.** Every employee works hard and dedicatedly and aspires for promotion and the action of the Respondents in depriving the Petitioners of their hard-earned arrears cannot be countenanced either in law or in equity. **Therefore instead of directing the Respondents to hold meetings and work out modalities to release the arrears, as was done in the earlier cases, where no action has been taken so far, these writ petitions are allowed by directing the Respondents to ensure that arrears of pay due to the Petitioners on account of their promotions are released to them as expeditiously as possible and not later than a period of six weeks from the date of receipt of this order by the Colleges. It would be for the Respondents to put their house in order and make arrangements in the budgetary allocations/planned estimates so that the order passed by this Court is complied with in letter and spirit without any delay.**”

[Emphasis supplied.]

7. I am of the view that, as held in the aforesaid judgment, it is for GNCTD and the Colleges to work out the budgetary allocations and the availability of funds amongst themselves. The Principal Secretary, Directorate of Higher Education, GNCTD, and the Principals of the



concerned Colleges are directed to coordinate and ensure that the petitioners' dues are paid, preferably within a period of three months, and in any case, not later than four months from today. If there is any dispute with regard to computation of the dues, the concerned parties will make an effort to reconcile the same, failing which they may invoke available remedies in accordance with law.

8. The writ petitions, alongwith pending applications, are disposed of with these directions.

PRATEEK JALAN, J

SEPTEMBER 16, 2025

'Bhupi/KA'/'