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

+ **CONT.CAS(C) 1/2025**

JITENDER

.....Petitioner

Through: Ms. Anjali Chauhan, Mr. Ankur Gupta, Ms. Dipti Chauhan, Mr. Rishabh Mishra, Advocates with petitioner.

versus

**SHAHEED BHAGAT SINGH
COLLEGE AND ANR.**

.....Respondents

Through: Mr. Himanshu Mahajan, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

24.02.2025

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1. By way of this contempt petition, the petitioner alleges violation of interim orders dated 31.05.2024 and 31.07.2024 passed by this Court in W.P.(C) 8294/2024.

2. The writ petition is directed against a charge-sheet dated 05.01.2024 and suspension orders passed against the petitioner.

3. On 31.07.2024, the Court was considering an application of the petitioner with regard to provision of documents, transcript of cross-examination, and appointment of a Defence Assistant. The Court's directions were as follows:

"5. Insofar as the non-supply of defence documents is concerned, this Court has already directed by order dated 31.05.2024 to provide the relevant documents and it is expected that the Inquiry Officer will



abide by the directions albeit it would be open to the Inquiry Officer to decide the relevancy of the documents sought. Liberty is reserved with the Petitioner to object to the non-supply of documents, if any, at appropriate stage. As far as the transcripts of cross-examination of witnesses are concerned, there may not be any provision in the University Non-Teaching Employees (Terms & Conditions of Service) Rules, 2013 to furnish the same, however, it is a facet of principles of natural justice that Petitioner is provided with the transcripts so that he is able to effectively conduct further cross-examination, submit defence brief and finally argue the case. It is, therefore, directed that the transcripts will be provided to the Petitioner latest by 05.08.2024 under acknowledgement before proceeding further in the inquiry proceedings.”

4. During the pendency of the writ petition, the inquiry proceedings culminated in a report dated 30.09.2024, and an order of dismissal was passed by the Disciplinary Authority on 19.10.2024. The writ petition has been disposed of today, with certain directions in respect of an appeal filed by the petitioner to the Appellate Authority under the University Non-Teaching Employees (Terms & Conditions of Service) Rules, 2013.

5. The contempt petition concerns the directions of the Court in respect of the conduct of the inquiry. In view of the fact that the inquiry report and consequent disciplinary order have since been made, which is now the subject matter of an appeal, I am of the view that it is not necessary to keep the contempt petition pending. Such a course of would potentially lead to multifariousness of proceedings. Instead, the petitioner is permitted to file an additional affidavit in support of his pending appeal, if required, highlighting the orders of the Court, and his contentions with regard to violations thereof at the inquiry stage. Such an affidavit may be filed within two weeks from today, and will form part of the pending proceedings before the Appellate Authority. The Appellate Authority is directed to address itself to these contentions also, if raised.



6. The contempt petition is disposed of with these directions.

PRATEEK JALAN, J

FEBRUARY 24, 2025

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