



2026:DHC:1604



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2204/2026 and CM APPL. 10706/2026**

Date of Decision: **16.02.2026****DR K SREENIVASARAO**

.....Petitioner

(Through: Mr. Ashish Dixit adv Mr. Umar Hashmi, Mr. Gautam Yadav Advocates.)

versus

LOCAL COMPLAINTS COMMITTEE LCC AND ORS

.....Respondents

(Through: Mr. Ritin Rai, Sr. Advocate with Ms. Shreya Munoth, Ms. Kritika Bhardwaj, Ms. Sitamsini Cherukumalli, Ms. Ankita Gupta and Mr. Khush Aalam Singh, Advocates for R-2.)

CORAM:**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV****J U D G E M E N T****PURUSHAINDRA KUMAR KAURAV, J. (ORAL)****CM APPL. 10705/2026 (for exemption)**

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 2204/2026 and CM APPL. 10706/2026

1. The instant petition is for the following reliefs:-

"i. issue an appropriate writ, order or direction under Article 226 read with Article 227 of the Constitution of India, thereby directing the Respondent No. 1 to adjudicate and pass speaking order on the application qua lack of jurisdiction dated 20.12.2025 after hearing the Petitioner through his duly authorized Counsel;

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KUMAR KAURAV



ii. grant such further or other relief(s) as this Hon'ble Court may deem fit in the facts and circumstances of this case."

2. The petitioner essentially seeks for adjudication of his objection regarding justification of the enquiry, which has been initiated in accordance with the provisions of Section 11 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("POSH Act"). According to him, if the provisions of Section 11 of the said Act are read with the applicable service rules, they would indicate that after superannuation of the petitioner, the enquiry under the POSH Act cannot be continued. He, therefore, submits that such an objection has to be first decided by the Committee and depending upon the same, the matter should be proceeded further.

3. The Court has considered the order dated 20.12.2025 passed by the Local Complaint Committee, District New Delhi, which is extracted as under:-

"ORDER DATED 20.12.2025

Today the matter was fixed for filing of reply by Respondent to the complaint filed by the Complainant. It is observed from the records, that the Respondent had received the copy of the Complaint way back in the year 2019. However, the inquiry could not proceed due to the pending litigation. Subsequently the Honble High Court passed order dated 28.08.2025 directing the Local Committee to proceed with the Inquiry.

Accordingly, after receiving the direction from the Hon'ble High Court, the inquiry was revived wherein the Respondent was supposed to file his reply to the Complaint. In this regard the Respondent was granted opportunity to file the reply on 29.09.2025, 08.10.25 12.10.25 18.11.25 and on 15.12.2025 he was granted last opportunity to file the reply and a hearing was fixed today for the same.



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We note that neither he is present today and nor has he filed any response. In fact the Committee has received an email dated 19.12.2025 from the Respondent whereunder he has again given frivolous reasons for not filing the reply wherein he has stated that he has not received any reply to his letter dated 21.11.2025.

Committee has found that Respondent is deliberately trying to delay the proceedings before the Committee on one pretext or another. As per Rule 7 of the POSH Rules, Committee has to provide only the copy of complaint to the Respondent within 7 days of filing the complaint and Respondent has to file his reply within 10 days of receiving the same.

Thus it is decided by the Committee to close the right of the Respondent for filing of reply and proceed with the inquiry by recording the statement of the Complainant and her witnesses.

Accordingly, the right to file reply of the Respondent stands closed. Copy of this order be provided to both the parties.

The matter will be now fixed for recording of statement of the complainant and her witnesses as per the list of witnesses provided by her.”

4. The petitioner then contends that before 20.12.2025, once the objection was raised regarding jurisdiction of the Committee, the same ought to have been dealt with without taking up any further proceedings.

5. Having considered the submissions made by learned counsel for the parties, the Court finds that the adjudication on the objection of the petitioner cannot be decided in a peace-meal. The petitioner's objection will have to be dealt with by the concerned Committee at the time of rendering final findings. The petitioner shall be at liberty to agitate the said issue before the said Committee.

6. Leaving that issue open to be decided at the stage of rendering final findings, the instant petition stands disposed of along with the pending application.

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7. Nothing stated hereinabove shall however amount to any expression on the merits of the case.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

FEBRUARY 16, 2026
Nc/mj

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