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

+ W.P.(C) 2866/2023

SOMVIR SINGH

.....Petitioner

Through: Mr.Shanker Raju and Mr Nilansh
Gaur, Adv.

versus

GOVERNMENT OF NCT OF DELHI
AND OTHERS

.....Respondents

Through: Mr. Yeeshu Jain, ASC with Ms. Jyoti
Tyagi, Ms. Vishruti Pandey, Mr.
Sachin Garg, Advs for R-1 and 2.

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+ W.P.(C) 6980/2023

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CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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19.01.2026



W.P.(C) 2866/2023

1. The fate of this petition and prayers will depend upon the conclusion of the enquiry and the action of the respondent employer.
2. Accordingly, leaving all rights and contentions open, the instant petition stands disposed of.

W.P.(C) 6980/2023 and CM APPL. 27174/2023

3. The petition is for the following reliefs:
 - a) To declare memorandum dated 12.05.2023(Annexure P-1) as illegal and the same be set aside.*
 - b) declare the impugned Inquiry Report dated 03.03.2023 forwarded to the petitioner on 14.03.2023 (Annexure P-2) by the school authorities as illegal and without jurisdiction and the same be declared illegal and be quashed and set aside with all consequential benefits to the petitioner by directing the respondents to revoke the suspension and reinstate the petitioner in service and follow the Rules and Women Act 2013.*
 - c) Any order or further relief which this Hon'ble Court deems fit, just and proper in the peculiar circumstance of the case in the interest of justice may also please be awarded."*
4. The petitioner was appointed as the Trained Graduate Teacher ('TGT') (Maths) with the respondent school in the year 2004.
5. A complaint was made against the petitioner alleging sexual harassment. The matter was referred to Internal Complaint Committee ('ICC') under the Protection of Women from Sexual Harassment at Workplace Act, 2013 ('POSH Act, 2013'), which has sent its recommendation dated 03.03.2023.
6. The solitary grievance raised by the petitioner is that there should not be any mandatory directions by the ICC to take an action in a particular way.
7. Learned counsel for the respondents fairly submits that the report of the ICC shall be considered by the Employer. It is up to the competent authority of the Employer as to what punishment it proposes to impose on



the petitioner. The Employer is open to consider the same in the right perspective, proportionate to the alleged misconduct.

8. In view thereof, there is no necessity to deal with the submissions on their merit except to direct the respondent Employer to treat the ICC's recommendations as an enquiry report and to consider as to how the matter will have to be taken to its logical conclusion.

9. Depending upon the action to be taken by the respondent, if the petitioner has any grievance *qua* the manner in which the ICC has conducted the enquiry, the petitioner shall be at liberty to challenge the same in accordance with law.

10. The petition stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

JANUARY 19, 2026

aks/ksr