



2026:DHC:1408-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(C) 601/2019****PROF. SACHIN MAHESHWARI**

.....Petitioner

Through: Mr. R. Tarkeshwar Nath and
Mr. Harshit Singh, Advs.

versus

**NETAJI SUBHAS UNIVERSITY OF
TECHNOLOGY AND ORS.**

.....Respondents

Through: Ms. Avnish Ahlawat, SC
NSUT, Mr. Nitesh Kumar Singh, Ms. Aliza
Alam and Mr. Mohnish Sehrawat, Advs. for
R-1 and 4
Mr. Puneet Rathi, Adv. for R-2**CORAM:****HON'BLE MR. JUSTICE C. HARI SHANKAR****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****ORDER (ORAL)**

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13.02.2026**C. HARI SHANKAR, J.****1. The prayer clause in this writ petition reads as under:**

“(i) Quash and set aside the order dated 26.09.2018 appointing Prof. Jai Prakash Saini as the first Vice- Chancellor of the Netaji Subhas University of Technology Department being ultravirous and unconstitutional.

(ii) Quash and set aside the order dated 15.11.2018 issued by Netaji Subhas University of Technology taking Professor J. P. Saini as Vice-Chancellor on its strength.

(iii) Quash and set aside clause 4 (3) of the notification dated 30.11.2018 issued by Department of Training & Technical Education, Govt. of Delhi and published 04.12.2018 being



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ultravirus and unconstitutional.”

2. Ms. Aliza, learned Counsel for Respondents 1 and 4 submits that tenure of Respondent 2, whose appointment forms subject matter of challenge in this writ petition has come to an end and he is no longer with Respondent 1 University.

3. Prayer (i) in this petition challenges the order appointing Respondent 2 as Vice-Chancellor and prayer (ii) challenges the order taking him on its strength.

4. Neither of these prayers can survive for consideration once Respondent 2 is no longer holding any office with the Respondent 1 University.

5. Moreover, this writ petition has been filed under Article 226 of the Constitution. The writ that the petitioner seeks is essentially one of *quo warranto*. A writ of *quo warranto* challenges the right of a person to continue holding a public office. Once the person is no longer holding a public office, no occasion arises for the Court to issue any writ of *quo warranto*.

6. Once prayers (i) and (ii) of the writ petition do not survive for consideration, prayer (iii) is rendered academic.

7. We, therefore, do not see any occasion for us to adjudicate on the merits of this writ petition which, to our mind, has become infructuous with the completion of the tenure of Respondent 2 as



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Vice-Chancellor with the Respondent 1 University.

8. The writ petition is accordingly disposed of in the aforesaid terms.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

FEBRUARY 13, 2026/ss