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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2965/2026**
VAIBHAV MANGLAPetitioner

Through: Ms. Tanisha Verma, Adv.
versus

MEDICAL COUNCIL OF INDIA & ANR.Respondents

Through: Mr. T. Singhdev, Mr. Abhijit
Chakravarty, Mr. Tanishq Srivastava,
Adv. for R-1/NMC

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **10.03.2026**

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers :-

“a.) Issue a writ of mandamus directing the Respondent No. 1 to take appropriate and immediate action on the complaints dated 02.11.2017 and 23.05.2018 and reminder dt. 05.04.2024 lodged by the Petitioner, and to ensure a thorough investigation into the incidents of ragging and harassment faced by the Petitioner.

b.) Direct the Respondent No. 2 to provide a detailed report on the actions taken in response to the complaints dt. 28.11.2016, 22.01.2017 & 30.07.2017 made by the Petitioner regarding ragging and harassment, and to ensure that such incidents are not repeated.

c.) Issue appropriate directions to both the Respondents to



implement and adhere to the guidelines issued by the Supreme Court of India and the University Grants Commission (UGC) regarding the prevention of ragging in educational institutions.

d.)Award compensation to the Petitioner for the mental trauma and anxiety issues suffered due to the inaction of the Respondents in addressing his grievances. ...”

2. For the reasons stated in the petition, issue notice.
3. Mr. Singhdev, learned counsel accepts notice on behalf of respondent No. 1.
4. A perusal of the prayers as sought in the present petition (reproduced above) shows that the petitioner is seeking action on his complaints of ragging filed in the year 2017 and 2018.
5. I am of the view that the cause of action is barred by delay and laches and this Court cannot entertain such delayed cause of action.
6. The law of delay and laches is well settled. The Hon’ble Supreme Court in **Mrinmoy Maity v. Chhanda Koley, (2024) 15 SCC 215**, on the said issue categorically held as under:-

“9.An applicant who approaches the court belatedly or in other words sleeps over his rights for a considerable period of time, wakes up from his deep slumber ought not to be granted the extraordinary relief by the writ courts. This Court time and again has held that delay defeats equity. Delay or laches is one of the factors which should be borne in mind by the High Court while exercising discretionary powers under Article 226 of the Constitution of India. In a



given case, the High Court may refuse to invoke its extraordinary powers if laxity on the part of the applicant to assert his right has allowed the cause of action to drift away and attempts are made subsequently to rekindle the lapsed cause of action.

10. The discretion to be exercised would be with care and caution. If the delay which has occasioned in approaching the writ court is explained which would appeal to the conscience of the court, in such circumstances it cannot be gainsaid by the contesting party that for all times to come the delay is not to be condoned. There may be myriad circumstances which gives rise to the invoking of the extraordinary jurisdiction and it all depends on facts and circumstances of each case, same cannot be described in a straitjacket formula with mathematical precision. The ultimate discretion to be exercised by the writ court depends upon the facts that it has to travel or the terrain in which the facts have travelled.

11. For filing of a writ petition, there is no doubt that no fixed period of limitation is prescribed. However, when the extraordinary jurisdiction of the writ court is invoked, it has to be seen as to whether within a reasonable time same has been invoked and even submitting of memorials would not revive the dead cause of action or resurrect the cause of action which has had a natural death. In such circumstances on the ground of delay and laches alone, the appeal ought to



be dismissed or the applicant ought to be non-suited. If it is found that the writ petitioner is guilty of delay and laches, the High Court ought to dismiss the petition on that sole ground itself, inasmuch as the writ courts are not to indulge in permitting such indolent litigant to take advantage of his own wrong. It is true that there cannot be any waiver of fundamental right but while exercising discretionary jurisdiction under Article 226, the High Court will have to necessarily take into consideration the delay and laches on the part of the applicant in approaching a writ court.”

(Emphasis added)

7. The law on power of this Court to dismiss a writ petition on ground of delay and laches alone is well settled. When any individual belatedly approaches the writ Court after sleeping over his/her rights for a long time, such person has no right to the extraordinary relief of writ. Definitely, there is no fixed period of limitation prescribed for filing of a writ petition and hence, such discretion must be exercised with utmost caution and should be used as per peculiar facts and circumstances of each case. However, it does not mean that the extraordinary jurisdiction of the writ court can be used to revive or resurrect a dead cause of action and if the writ petitioner is guilty of delay and laches, this Court has the discretion and power to dismiss the petition on that sole ground itself.
8. In the present case, the petitioner is seeking action on his complaints of ragging filed in the year 2017 and 2018 and hence, I am of the view that the cause of action is barred by delay and laches. The petitioner except



for an odd letter and/RTI inquiry has not been able to justify the delay of about 8-9 years in approaching the Court. For the said reasons, the petition is liable to be dismissed on ground of delay and laches.

9. However, Ms. Verma, learned counsel for the petitioner, states that the petitioner has also not been granted degree in M.D.(D.V.L.).
10. For the same, the learned counsel for the petitioner seeks and is granted to liberty to file appropriate writ petition before the appropriate Court.
11. The present petition is disposed of in aforesaid terms.

JASMEET SINGH, J

MARCH 10, 2026/sp