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

+ **W.P.(C) 7315/2026 & CM APPLs. 35717-35718/2026**

DR.RAM NARESH

.....Petitioner

Through: Mr. Shail Kumar Dwivedi, Mr. Sarvesh Singh, Mr. Siddharth Krishna Dwivedi and Mr. Deepak Chand, Advocates.

versus

**V.S. AGRICULTURE SENIOR SECONDARY SCHOOL
THROUGH ITS MANAGER , MANAGEMENT COMMITTEE &
ORS.**

.....Respondents

Through: Mrs. Avnish Ahlawat, SC, GNCTD with Mr. N. K. Singh, Mr. Nishant Rewalia and Ms. Aliza Alam, Advocates.

**CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER
22.05.2026**

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1. This writ petition lays challenge to (i) the enquiry report dated 05th March, 2023 submitted by the Disciplinary Action Committee pursuant to the chargesheet memorandum dated 14th December, 2021; (ii) the communication dated 01st April 2026 calling upon the Petitioner to submit his response to the said enquiry report; and (iii) the chargesheet memorandum dated 13th March 2020, which is assailed primarily on the ground of inordinate delay and lack of finality in the proceedings arising therefrom.



2. The Petitioner alleges that the actions of the Management Committee of the Respondent School are actuated by *mala fides* and form part of a sustained course of harassment through successive charge memorandums and disciplinary proceedings, with the ulterior object of denying him fair consideration for promotion to the post of Principal.

3. The relevant facts, in brief, are that the Petitioner was appointed as a Post-Graduate Teacher in 1997 and was promoted as Vice Principal in 2010. Two charge memorandums dated 01st October, 2018 and 24th December, 2018 were issued to him. According to the Petitioner, the issues forming the subject matter of those memorandums stood resolved upon deposit of a sum of Rs. 2,60,000/- with certain charitable societies allegedly connected with the school management.

4. Subsequently, a chargesheet dated 13th March, 2020 was issued in relation to reimbursement claims pertaining to the medical treatment of the Petitioner's wife. Thereafter, another chargesheet memorandum dated 14th December, 2021 came to be issued concerning reimbursement of expenses allegedly incurred towards COVID-19 treatment.

5. Aggrieved, the Petitioner submitted a complaint before the Directorate of Education.¹ An enquiry conducted pursuant thereto culminated in a report dated 25th April, 2022, wherein, *inter alia*, it was observed that “*there is something wrong going on in the school as a whole.*” The Petitioner thereafter submitted further representations highlighting the alleged pattern of repeated charge memorandums and withholding of salary. It is stated that the DoE recommended, *inter alia*, withdrawal of the chargesheet dated 14th December, 2021. Notwithstanding such observations,



the disciplinary proceedings were continued by the Respondent School.

6. It is further contended that, following the retirement of the erstwhile Principal, the Respondent School appointed teachers junior to the Petitioner as Head of School in the years 2022 and 2025, allegedly overlooking the Petitioner's claim based on seniority and eligibility.

7. The Petitioner had earlier approached this Court by way of W.P.(C) 16807/2025 seeking appointment to the post of Principal. The said petition was dismissed on 23rd January, 2026. However, in LPA No. 107/2026, the Division Bench, by order dated 12th March, 2026, set aside the said decision and directed the Respondent School to initiate the process for promotion to the post of Principal by considering the candidature of the Petitioner along with other eligible candidates.

8. In the backdrop of the aforesaid order of the Division Bench, the present petition has been filed. Counsel for the Petitioner submits that the issuance of the impugned communication dated 01st April, 2026 and the continuation of disciplinary proceedings are part of a concerted effort to frustrate the Petitioner's claim for promotion.

9. Having considered the submissions advanced and perused the material on record, this Court is of the view that no case for interference in exercise of jurisdiction under Article 226 of the Constitution of India is made out at this stage.

10. At the outset, it is material to note that the enquiry report dated 05th March, 2023 is only a step in aid of the disciplinary process and does not, by itself, visit the Petitioner with any civil consequences. The impugned communication dated 01st April, 2026 is, in essence, a notice granting the

¹ "DoE"



Petitioner an opportunity to respond to the findings recorded in the enquiry report before any final decision is taken. The disciplinary authority has yet to apply its independent mind to the enquiry report and the Petitioner's defence. Interference at this stage would amount to pre-empting the statutory process and denuding the disciplinary authority of its jurisdiction to consider the matter in accordance with law. It is well settled that writ jurisdiction is not intended to short-circuit ongoing disciplinary proceedings, particularly when the delinquent employee has an effective opportunity to place his defence and no irreversible prejudice has yet been caused.

11. It is well settled that ordinarily the Court does not exercise jurisdiction under Article 226 of the Constitution to interdict disciplinary proceedings at the stage of issuance of a charge-sheet, show-cause notice, or enquiry report, unless the same is shown to be wholly without jurisdiction or vitiated by patent illegality.²

12. The principal contention of the Petitioner that the disciplinary proceedings are actuated by *mala fides* and are intended to thwart his consideration for promotion cannot be accepted at this stage. Allegations of *mala fides*, particularly when directed against an institutional decision-making process, must be pleaded with specificity and supported by cogent material of a compelling nature; they cannot rest on inference or conjecture drawn from the mere pendency or multiplicity of proceedings. The sequence of events relied upon by the Petitioner, including the issuance of successive charge memorandums and the timing of the impugned actions, may, at best, give rise to a suspicion, but falls short of establishing malice in fact or in law

² Union of India v. Kunisetty Satyanarayana, (2006) 12 SCC 28; Ministry of Defence v. Prabhash Chandra Mirdha, (2012) 11 SCC 565



so as to vitiate the proceedings at the threshold. Whether the charges are sustainable, or whether the proceedings have been conducted in a manner causing prejudice, are matters which fall squarely within the domain of the disciplinary authority and are amenable to challenge, if necessary, upon culmination of the process. At this interlocutory stage, in the absence of clear evidence of abuse of power or colourable exercise of jurisdiction, this Court finds no justification to interdict the proceedings.

13. Insofar as the challenge to the chargesheet dated 13th March, 2020 on the ground of delay is concerned, this Court is not persuaded to interdict the proceedings at the threshold. Mere delay, in the absence of demonstrated prejudice or circumstances indicating abuse of process, cannot by itself be a ground to quash a chargesheet. The issue of prejudice, if any, would necessarily depend on the manner in which the proceedings unfold and can be urged before the disciplinary authority.

14. As regards the order dated 12th March, 2026 passed by the Division Bench in LPA No. 107/2026, it is clarified that dismissal of the present petition shall not prejudice the Petitioner's right to be considered for promotion in terms of the directions contained therein. In the event of any alleged non-compliance, it shall be open to the Petitioner to seek appropriate remedies in accordance with law.

15. For the foregoing reasons, the writ petition is dismissed. Pending applications, if any, also stand disposed of.

SANJEEV NARULA, J

MAY 22, 2026/hc