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

+ **W.P.(C) 19614/2025**

DR GITI CHANDRA

.....Petitioner

Through: Mr. Abhik Chimni, Ms. Pranjal Abrol, Mr. Gurupal, Singh, Ms. Moksha Sharma and Mr. Ayan Dasgupta, Advocates.

versus

UNIVERSITY OF DELHI & ANR.

.....Respondents

Through: Mr. Mohinder J.S. Rupal, Advocate for R-1.

Mr. Sachin Singh Dalal, Mr. Akshat Singh and Mr. Joe Sebastian, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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23.03.2026

1. This writ petition assails the recovery effected by the Respondent University from the Petitioner and seeks a direction for refund of the amount so recovered.

2. Mr. Abhik Chimni, counsel for the Petitioner, places reliance on Annexure P-6 to submit that for the period from 30th November, 2004 to 30th April, 2007, when the Petitioner was on Extraordinary Leave, no salary or allowances were paid to her. It is contended that the aforesaid position is inconsistent with the communications issued by the University of Delhi, wherein the justification for recovery is stated to be on account of increments paid during the period when the Petitioner was on Extraordinary



Leave.

3. Mr. Chimni also places on the judgment of the Supreme Court in *State of Punjab and Others v. Rafiq Masih (White Washer) and Others*¹ to contend that the recovery, having been effected after a period of 74 months, is impermissible, being beyond the period of five years contemplated therein.

4. In view of the above, and finding that the Petitioner's contentions merit consideration, this Court deems it appropriate to direct the Respondents to examine the aforesaid aspects in the first instance.

5. Accordingly, the petition is disposed of with a direction to Respondent No. 1 to consider the petition as a representation and pass a reasoned and speaking order within a period of six weeks from today.

6. In the event the Petitioner's grievance is not redressed, she shall be at liberty to avail appropriate remedies in accordance with law.

7. Disposed of.

SANJEEV NARULA, J

MARCH 23, 2026

as

¹ (2015) 4 SCC 334.