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

Date of Decision: 04th August, 2026

CNR No. DLHC011077002025

+ **CONT.CAS(C) 4/2026**

SUSHILA VIKAS MAHESHKAR

.....Petitioner

Through: Mr. G D Chawla and Mr. Rajesh
Chauhan, Advocate (through VC)

versus

VINEET JOSHI & ANR.

.....Respondents

Through: Mr. Farman Ali, CGSC with Ms.
Usha Jamnal and Ms. Tanya,
Advocates for R-1
Mr. Nilansh Gaur, Advocate for R-2
(through VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J (ORAL):

1. The present petition has been filed alleging wilful disobedience of the order dated 15th July, 2025, passed by this Court in *W.P.(C) 9908/2025*.
2. *Vide* order dated 15th July, 2025, it had been directed as follows:

1. Issue notice. Mr. Farman Ali, learned counsel, accepts notice on behalf of respondent No. 1- Union of India, and Mr. Nilansh Gaur, learned counsel, accepts notice on behalf of respondent No. 2-National Institute of Technology of Delhi ["NIT"].
2. The petitioner has filed this petition against a disciplinary order dated 01.04.2025, by which her service with NIT was terminated.
3. It is stated in the writ petition that the petitioner has already submitted a statutory appeal against the order of termination on 16.04.2025, but no further action has been taken.
4. Mr. Ali submits that the petitioner's appeal dated 16.04.2025 [annexure P-6 to the writ petition] has been erroneously addressed to the



2026:DHC:6358



Hon'ble Minister of Education, whereas the appellate authority is Hon'ble the President of India, who is the Visitor of NIT. Mr. Ali submits that this has resulted in delay in disposal of the appeal. However, he states, upon instructions, that the Ministry will take requisite steps in coordination with the President's Secretariat, for consideration and disposal of the appeal expeditiously, and not later than four months from today.

5. The writ petition is disposed of with the aforesaid direction, with liberty to the petitioner to take appropriate remedies, in the event the appeal is decided against her.

3. The present petition came to be filed, since the statutory appeal of the petitioner filed before the President's Secretariat, is yet to be decided.

4. Today, learned counsel appearing for the Union of India ("UOI") has handed over to this Court a letter dated 04th August, 2026, issued by the Department of Higher Education, Ministry of Education, Government of India, which reads as under:



राष्ट्रीय प्रौद्योगिकी संस्थान दिल्ली

NATIONAL INSTITUTE OF TECHNOLOGY DELHI

(शिक्षा मंत्रालय, भारत सरकार के तत्वावधान में राष्ट्रीय महत्व का संस्थान)

(An Institute of National Importance under the aegis of Ministry of Education (Shiksha Mantralaya), Govt. of India)

Plot No. FA7, Zone P1, GT Karnal Road, Delhi-110036, INDIA

दूरभाष/Tele: +91-11-33861000, 1001, 1005 वेबसाइट/Website: www.nitdelhi.ac.in

NITD/R/MoE/2026/02-979

Dated: 04.08.2026

Sh. Vikas Tripathi,
Under Secretary to the Govt. of India
Department of Higher Education,
Ministry of Education, Government of India,
Kartavya Bhavan-2, New Delhi – 110001.

Subject: Personal hearing to Dr. Sushila Vikas Maheshkar, Ex- Assistant Professor (CSE), NIT Delhi in connection with her appeal against the penalty of removal from service -reg.

Sir,



2026:DHC:6358



In reference to the communication received on the subject cited above, vide letter no. F.No.22-4/2025-TS.III dated 4th August, 2026 received from Ministry of Education, it is hereby submitted that the Institute shall conduct the personal hearing as directed in case of Dr. Sushila Vikas Maheshkar, Ex-Assistant Professor (CSE), NIT Delhi within 10 days from the receipt of this aforesaid communication. Further, in this regard, the Ministry of Education is requested to nominate the representative of the ministry in this case for the presence during the personal hearing.

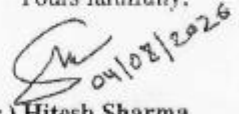
The Institute shall furnish the following within 15 days of the receipt of the said directions.

1. The proceedings/minutes of the personal hearing;
2. Pointwise comments on each of the grounds raised by Dr. Sushila Vikas Maheshkar in her statutory appeal dated 16.04.2025, duly supported by the relevant records.

This issues with the approval of the Competent Authority.

Thanking you,

Yours faithfully,


Prof. (Dr.) Hitesh Sharma
Registrar, NIT Delhi

Copy for information to:

1. PA to Director, NIT Delhi.
2. Office File.

(प्रो. (डॉ.) हिमेश शर्मा)/(Prof. (Dr.) HITESH SHARMA)
मुख्याधिकारी/Registrar
राष्ट्रीय प्रौद्योगिकी संस्थान, दिल्ली
National Institute of Technology, Delhi
(विश्व महत्त्व, भारत सरकार के अधीन राष्ट्रीय महत्व का एक संस्थान)
(An Institute of National Importance under Ministry of Education)

5. By referring to the aforesaid letter, learned counsel for the UOI submits that the President's Secretariat has already advised that a personal hearing be given to the petitioner herein, at an appropriate level, so that she is able to present and elaborate upon the grounds of the statutory appeal filed by her.

6. Learned counsel appearing for respondent no. 2, i.e., National Institute of Technology, Delhi ("NIT"), confirms receipt of the aforesaid letter from the Government of India.

7. The letter dated 04th August, 2026, issued on behalf of the NIT has been handed over to this Court, which is reproduced as under:



F.No.22-4/2025-TS.III
Government of India
Ministry of Education
Department of Higher Education

Kartavya Bhawan - 2, New Delhi,

Dated: the 4th August, 2026

To,

The Director,
NIT Delhi

Subject: Personal hearing to Dr. Sushila Vikas Maheshkar, Ex-Assistant Professor (CSE), NIT Delhi, in connection with her appeal against the penalty of removal from service – reg.

Sir,

I am directed to refer to the statutory appeal dated 16.04.2025 submitted by Dr. Sushila Vikas Maheshkar, Ex-Assistant Professor (CSE), NIT Delhi, against the penalty of removal from service imposed vide order dated 01.04.2025.

2. After re-examination of the matter in respect of the proportionality of the penalty and submission of the proposal to the President's Secretariat, the President's Secretariat, vide its I.D. Note dated 21.07.2026, advised this Ministry to afford an opportunity of personal hearing to Dr. Sushila Vikas Maheshkar at an appropriate level so that she may present and elaborate upon the grounds of her statutory appeal. The President's Secretariat further advised that, thereafter, the Ministry may undertake a comprehensive examination of each of the grounds raised in the appeal and re-submit the proposal to the President's Secretariat along with its point-wise comments on all the contentions raised by the appellant.

3. The matter has accordingly been examined in this Ministry. Since NIT Delhi is the appointing authority as well as the custodian of all records relating to the disciplinary proceedings, it has been decided that the personal hearing may be conducted by NIT Delhi before the Director, NIT Delhi, with the Registrar, in the presence of a representative of this Ministry.

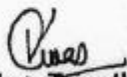


4. After completion of the personal hearing, the Institute may furnish to this Ministry:

- (i) the proceedings/minutes of the personal hearing;
- (ii) point-wise comments on each of the grounds raised by Dr. Sushila Vikas Maheshkar in her statutory appeal dated 16.04.2025, duly supported by relevant records;

5. As the matter is presently pending adjudication before the Hon'ble High Court of Delhi in Contempt Petition (CCP) No. 4/2026 in W.P.(C) No. 9908/2025, the above action may kindly be completed on priority and the requisite documents furnished to this Ministry at the earliest to facilitate further examination of the matter and submission of the proposal to the President's Secretariat for consideration of the Hon'ble President, in her capacity as the Visitor of NIT, Delhi.

Yours faithfully,


(Vikas Tripathi)

Under Secretary to the Govt. of India

Copy for information to:

Shri Farman Ali, Advocate, Supreme Court of India/High Court of India, Central Government Senior Panel Counsel, Delhi High Court.

8. Learned counsel appearing for the NIT submits that in terms of the letter dated 04th August, 2026 issued by the UOI, personal hearing shall be granted to the petitioner within a period of ten days, from today.

9. He further submits that the said hearing shall be given in the presence of a representative of the Ministry of Education, UOI.

10. At this stage, this Court notes the submission made by learned counsel appearing for the UOI that after the requisite hearing is granted to the petitioner, the file shall be reverted back to the Ministry of Education, UOI, within 15 days of the conclusion of the hearing.

11. He, thus, submits that thereafter the Ministry of Education, UOI, shall



forward all the documents to the President's Secretariat. It is submitted that the Hon'ble President of India is the visitor of the NIT, and shall decide the statutory appeal of the petitioner.

12. The aforesaid submissions are taken note of.

13. Accordingly, the respondents are directed to take time bound directions for the purposes of disposing the statutory appeal of the petitioner.

14. Since the judgment, the compliance of which is sought in the present case, is of the year 2025, it is directed that the process for disposal of the statutory appeal of the petitioner shall be taken expeditiously, preferably, within a period of three months after receipt of the records from the NIT.

15. Needless to state, in case the respondents do not follow the timelines as aforesaid, the petitioner would be at liberty to revive the present petition.

16. Noting the aforesaid, the present petition is disposed of.

MINI PUSHKARNA, J

AUGUST 4, 2026

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