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

% **Date of Decision: 28th July, 2025**

+ **W.P. (C) 373/2025 & CM APPL. 1786/2025**

DAKSH BHARDWAJ

.....Petitioner

Through: Mr. Ashu Bidhuri, Mr. Swapnam
Prakash Singh, Ms. Shabana Hussain,
Mr. Sahil Vidhuri, Advocates
(M:8447712548)

versus

**UNIVERSITY OF DELHI THROUGH ITS VICE-CHANCELLOR
& ORS.**

.....Respondents

Through: Mr. Mohinder J.S. Rupal, Mr. Hardik
Rupal, Ms. Aishwarya Malhotra,
Advocates for University of Delhi
Mob: 9811151216
Ms. Monika Arora, CGSC with Mr.
Subhrodeep Saha and Ms. Anamika,
Advocates for R-3
Mob: 9810246300

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J (ORAL):

1. The present writ petition has been filed praying for directions to the respondent no. 3, i.e., Kirori Mal College, to conduct re-election of the two vacant seats of Central Councillors of Kirori Mal College Student Union for the Academic Session 2024-25.
2. Learned counsel for the petitioner relies upon *Clause 6.10.4* of the Shri 'J.M. Lyngdoh Committee' recommendations and submits that whenever any post would fall vacant, elections are compulsorily and mandatorily to be held within two months.



3. He submits that the recommendations of the 'J.M. Lyngdoh Committee' are mandatory, as the same have been approved by the Supreme Court.
4. He further submits that election of the two candidates to the post of Central Councillors was declared null and void *vide* letter dated 25th November, 2024. He, thus, submits that re-elections ought to have been held within a period of two months thereof.
5. Learned counsel for the petitioner draws the attention of this Court to the affidavit filed on behalf of the respondent no. 3, i.e., Kirori Mal College, wherein, the College has categorically stated that they have already written to the University of Delhi – respondent no. 1, for the purposes of re-election.
6. Thus, it is submitted that University of Delhi has not taken any final decision in the matter.
7. Responding to the present writ petition, learned counsel for respondent no. 3, i.e., Kirori Mal College submits that the College was ready to conduct the re-election process at the college level, for which it had already written to the University.
8. Learned counsel for Kirori Mal College submits that elections have to be held under the aegis of University of Delhi. Therefore, the College has acted in a *bona fide* manner.
9. *Per contra*, learned counsel appearing for respondent no. 1, i.e., University of Delhi submits that academic session to which the present petition concerns, i.e., Academic Session 2024-25, has already ended.
10. He submits that new admissions at 'Undergraduate' as well as 'Post Graduate' level have already taken place for the next academic session, i.e., Academic Session 2025-26. He, thus, submits that no elections can be held



at this stage for the previous Academic Session 2024-25.

11. Learned counsel for respondent-University further submits that in the present case, the elections results were declared only on 24th November, 2024, as the declaration of the result was delayed, on account of an order passed by a Division Bench of this Court.

12. He submits that it was only after the Division Bench of this Court allowed the declaration of the result, that the results were ultimately declared.

13. Learned counsel further submits that examinations for the 1st Semester had commenced in December, 2024, on account of which, it was not possible to hold elections thereafter.

14. He further submits that since there was a delay in declaration of the result, and that a major part of the Academic Session 2024-25 was already over, no purpose would have been served in holding the re-elections at such a belated stage, for such a short tenure.

15. It is further submitted that a lot of finances are entailed in holding the elections.

16. In rejoinder, learned counsel for the petitioner submits that in terms of the recommendations of the 'J.M. Lyngdoh Committee', the University was enjoined upon to carry out the elections within a period of two months of the post having fallen vacant. He, thus, submits that since students have already paid ₹20 as annual subscription to the Union Funds, the said amount ought to be either refunded to the students or adjusted in the future elections, since representatives of the Central Council were unable to represent the respondent-College at the Delhi University Students' Union ("DUSU") level.



17. I have heard learned counsels for the parties and perused the records.
18. At the outset, this Court notes that the present petition pertains to the elections for the two posts of Central Councillors for the Academic Session 2024-25. The said Academic Session is already over and admission to the next Academic Session, i.e., 2025-26, is also complete. Therefore, there is no occasion for this Court to direct any re-election at this stage.
19. This Court also takes note of the submission of learned counsel for the University of Delhi that on account of the pending litigation before the Division Bench of this Court, the election result was delayed, and the same was declared only on 24th November, 2024.
20. This Court further takes note of the submission made on behalf of the University of Delhi that normally the results to the Delhi University elections are declared by the month of September each year, i.e., in the beginning of the academic session, whereas, the elections are held around the month of August in every academic session.
21. Therefore, this Court is in agreement with the submissions made by learned counsel for University of Delhi that since major part of the Academic Session 2024-25 was already over, it was not feasible for conducting the re-elections.
22. Further, this Court takes note of the *Clause 6.10.4* of the recommendations of the ‘J.M. Lyngdoh Committee’, which reads as under:
- “6.10.4 In the event of the office of any major post of office bearer falling vacant within two months of elections, re-elections should be conducted; otherwise the Vice President may be promoted to the post of President and Joint Secretary to the post of Secretary, as the case may be.”*
23. Reading of the aforesaid Clause shows that re-elections are to be held



to any major post of any office bearer falling vacant within two months of the elections. Thus, no timeline is stipulated for conducting re-elections and *Clause 6.10.4* only mandates that in the event, a major post falls vacant within two months of elections, then re-elections must be conducted for that post. Furthermore, it is to be noted that the aforesaid Clause stipulates re-elections only with respect to the major posts, i.e., President and Secretary.

24. Thus, the said Clause categorically stipulates that in case post of the President falls vacant, within two months of elections and re-elections is not conducted, the Vice President may be promoted to the post of President. Likewise, in case the post of Secretary falls vacant within two months from election, the Joint Secretary may be promoted to the post of Secretary, in case re-elections are not held. Clearly, the post of Central Councillor has not been shown as a major post in terms of the *Clause 6.10.4* of the recommendations of the 'J.M. Lyngdoh Committee'.

25. Further, this Court also finds no merit in the submissions of the petitioner with regard to refund of ₹20 to the students. The said amount is towards the annual subscription to the Union Funds. The Union Funds refers to the funds of DUSU. Needless to point out that students were represented in various posts of DUSU, therefore, there is no question of refund of the said amount.

26. Considering the aforesaid discussion, no merit is found in the present writ petition. The same is accordingly dismissed, along with, the pending application.

MINI PUSHKARNA, J

JULY 28, 2025/au