



2025:DHC:10232-DB



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

Date of Decision: 18th November, 2025

+ LPA 284/2024

PULAK M. PANDEY

.....Appellant

Through: Mr. Sahil Khurana, Adv.

versus

INDIAN INSTITUTE OF TECHNOLOGY DELHI & ORS.

.....Respondents

Through: Mr. Arjun Mitra, Adv.

Ms. Aanchal Tikmani, Adv. for R4.

CORAM:

HON'BLE MR. JUSTICE DINESH MEHTA

HON'BLE MR. JUSTICE VIMAL KUMAR YADAV

ORDER (ORAL)

DINESH MEHTA, J.

1. The LPA 284/2024 at hand, has been filed by the Appellant *inter alia* impugning the order/judgment dated 15.12.2023, whereby writ petition filed by the Appellant has been rejected by the learned Single Judge observing thus:

“The writ of certiorari cannot be issued in the present matter since for the issue of such writ, there should be an error apparent on the face of it or goes to the root of the matter. However, no such circumstances are present in the instant petition.”

2. Learned counsel for the Respondent at the outset submitted that after providing full opportunity and following principles of natural justice in a domestic inquiry relating to the case of sexual harassment, a censure was



recorded in the service book of the Appellant, who was working as an Associate Professor against which he preferred a statutory appeal which got rejected. Thereafter, he had preferred an appeal before the disciplinary authority, subsequently, he moved an appeal before the Visitor (Hon'ble the President of India), which too faced the same fate.

3. He then preferred a writ petition before learned Single Judge of this Court, which too has been rejected by the order under challenge. He submitted that the Letters Patent Appeal being a discretionary jurisdiction, this Court should not interfere in the matter more particularly, when even the learned Single Judge has refused to exercise extraordinary jurisdiction under Article 227 of the Constitution of India. Learned counsel for the Respondent further argued that the writ petition which the Appellant had filed was a writ of *Certiorari* in which the learned Single Judge has refused to quash the censure which was recorded in the service book of the Appellant.

4. Learned counsel of the Appellant on the other hand, submitted that an unwanted inquiry had been hurled against the Appellant, for absolutely false allegation for which the Appellant had to face the inquiry and for a period of five years he was deprived of the administrative work of the University.

5. He further submitted that the facts of the case and evidence on record, did not warrant even censure to be given to the Appellant and, therefore, such order deserves to be quashed.

6. Learned counsel further argued that the preliminary objection raised by the Respondents is not tenable inasmuch as learned Single Judge has erred in not exercising his writ jurisdiction under Article 227 of the Constitution of India.



7. Having heard learned counsel for the parties, what appears is, under an in-house inquiry the Appellant was found at fault and a minor penalty of censure was given to him, against which the appeal which he had filed so also the appeal before the (Hon'ble the President of India) visitor faced dismissal.

8. Laying challenge to such orders, the Appellant had invoked supervisory jurisdiction of this Court under Article 227 of the Constitution of India and by delving into the facts and evidence in detail, the learned Single Judge has refused to exercise his jurisdiction, which jurisdiction is obviously a discretionary jurisdiction.

9. According to us, when the learned Single Judge, on cogent material has refused to exercise his jurisdiction, we sitting in intra-court appeal would be loath in interfering in the matter and scrutinising orders of the learned Single Judge as a Court of appeal.

10. We are not much impressed by the contentions raised by learned counsel for the Appellant that on account of the in-house proceedings and the inquiry, the Appellant could not take part in the administrative business of the University and that if he applied somewhere the censure in his service book would adversely affect his prospectus.

11. It is a settled position of law, that censure does not affect the career prospect of an employee at all. Learned Single Judge has committed no error of law in refusing to exercise his discretionary jurisdiction.

12. The fact that the Appellant was working as Associate Professor, and was promoted to the post of Professor as of today, he is working as a Professor in the very same University. Hence, the Appellant's plea of his



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career being adversely affected in face of the censure is wholly misplaced. None of the fundamental or statutory rights of the Appellant have been infringed. This appeal is a luxury litigation.

13. The appeal is therefore, dismissed.

DINESH MEHTA, J

VIMAL KUMAR YADAV, J

NOVEMBER 18, 2025/ps