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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 3521/2025, CM APPL. 16498/2025, CM APPL. 27254/2026

Date of Decision: 23rd July, 2026.

MONIKA VERMA

.....Petitioner

Through: Mr. Rudra Vikram Singh, Mr. Ashirvad Kumar Yadav, Mr. Tarshith Bhardwaj and Ms. Rashmi, Advocates.

versus

CENTRAL SANSKRIT UNIVERSITY & ORS.Respondents

Through: Mr. Gyan Prakash, Ms. Neeraj, Mr. Vaibhav Raj, Advocates for R-1, 2 and 3.

Ms. Arushi Singh, Sr. Panel Counsel with Mr. Vasuchit Anand, GP and Ms. Amrisha Kumari & Ms. Manviya Arun, Advocates for R-6 & 7.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

JUDGMENT

SANJEEV NARULA, J. (Oral):

The Dispute

1. The controversy in the present petition lies in a narrow compass. The question is whether the Central Sanskrit University could lawfully continue to treat the Petitioner as a probationer for over five years and thereafter terminate her services for alleged misconduct, without recourse to the prescribed disciplinary process, despite the maximum permissible probation period under the governing statutory framework having long expired. While



some of the allegations against the Petitioner, including those concerning her conduct towards students, are serious, this Court is not concerned with their merits. The challenge is confined to the legality of the office order dated 6th January, 2023 extending probation “till further orders”, the consequential actions culminating in the discharge order dated 9th December, 2024 and speaking order dated 10th December, 2024.

Factual background

2. Pursuant to Advertisement No. 02/2019, the Petitioner was selected for appointment to the post of Assistant Librarian in the erstwhile Rashtriya Sanskrit Sansthan, now the Central Sanskrit University. The offer of appointment dated 11th November, 2019 placed her in Academic Pay Level 10 and posted her at the Shri Sadashiv Campus, Puri. She joined the post on 26th November, 2019.

3. Clause 1 of the offer of appointment prescribed a probationary period of two years from the date of appointment. It further stipulated that the period could be extended for a period not exceeding one year. During probation, the Petitioner was liable to be discharged upon thirty days’ notice or payment of salary and allowances in lieu thereof. Upon satisfactory completion of probation, she was to be considered for confirmation.

4. Before joining the University, the Petitioner was holding a permanent post of Technical Officer with CSIR-NISCAIR, subsequently renamed CSIR-NIScPR. Her technical resignation was accepted and she was granted lien over her substantive post for two years. The lien was thereafter extended up to November, 2022. As the extended period approached expiry, she repeatedly requested the University to intimate the status of her probation and confirmation. The record shows communications sent in October and



November, 2022, in which she specifically pointed out that her lien was about to expire and that no formal decision concerning her confirmation had been communicated.

5. The Petitioner initially served at the Puri Campus. A character certificate dated 16th December, 2020 recorded that her work in the library was praiseworthy, that students and faculty members were satisfied with her proficiency, and that there was nothing adverse against her at that campus. The record also contains certificates acknowledging her contribution to library activities at Puri. These documents do not conclude the issue of her suitability, but they are relevant inasmuch as no contemporaneous adverse assessment during the original probationary period has been placed before the Court.

6. On her request, the Petitioner was transferred to the Ganganath Jha Campus at Prayagraj in June, 2022. On 14th December, 2022, the Director of that Campus submitted a report to the Vice-Chancellor alleging that the Petitioner was uncooperative, rude, inclined to engage in unnecessary correspondence, and inattentive to the work assigned to her. The report recommended that she be transferred elsewhere.

7. Acting upon this report, the University issued an office order dated 6th January, 2023. It stated that the Petitioner's conduct and performance of duties had been reported to be unsatisfactory and extended her probation "till further orders". The order neither specified the period of extension nor fixed any date for review. By then, the Petitioner had completed more than three years of service.

8. The Petitioner represented against the extension on 11th January, 2023. She asserted that no deficiency had been communicated during her



service at Puri, that she had repeatedly sought a decision before expiry of her lien, and that the order extending her probation indefinitely had been passed after the maximum period permitted by her appointment letter. She was thereafter transferred to the Bhopal Campus, where she joined in February, 2023.

9. Complaints were subsequently received at Bhopal from students and members of the staff concerning the Petitioner's manner of dealing with library users and her conduct within the campus. A local committee examined the complaints and reported adversely against her. The Vice-Chancellor thereafter constituted a four-member committee chaired by Prof. Kavita Holey, who was stated to be external to the University.

10. The Petitioner appeared before the Committee in January, 2024. She requested copies of the complaints and time to file a written response. An initial set of complaints was supplied and she submitted a detailed reply on 23rd January, 2024.

11. On 23rd January, 2024, the University directed the Petitioner to remain on "compulsory leave" until receipt of the final report of the Committee or until further orders, whichever was earlier. The period was directed to be adjusted against her earned leave. No statutory provision authorising such compulsory leave was cited in the order.

12. Further complaints and their statements were made available subsequently, and the Petitioner submitted another detailed response dated 15th April, 2024. She denied the allegations, relied upon library records, placed her own complaints on record, alleged that several complaints were retaliatory, and sought an opportunity to cross-examine the complainants.

13. The Committee held further meetings on 29th and 30th April, 2024. It



interacted with students, members of the staff, the Petitioner and the Director of the Bhopal Campus. Its report concluded that the complaints were true and that the Petitioner was guilty of the misconduct attributed to her.

14. On 5th June, 2024, the University issued a show cause notice calling upon the Petitioner to explain why appropriate action should not be taken. The Petitioner sought further documents and submitted a detailed reply on 3rd July, 2024. She denied the findings, challenged the fairness of the process, and reiterated her request for a proper opportunity to test the allegations.

15. The matter was placed before the Executive Council in its meeting held on 30th August, 2024. The Executive Council resolved to discharge the Petitioner from probationary service. By Order No. 360 dated 9th December, 2024, the Petitioner was discharged with immediate effect and granted one month's pay in lieu of notice. The order referred to Statute 27 of the Second Schedule to the Central Sanskrit Universities Act, 2020, the relevant probation and confirmation rules, and the decision of the Executive Council.

16. A speaking order followed on 10th December, 2024. It reproduced the history of the complaints and the Committee's conclusions. Among other findings, it recorded that the Petitioner had spoilt the academic atmosphere of the campus; had failed to improve despite advice; had misbehaved with students and staff; had engaged in inappropriate conduct towards students; and had committed misconduct which made her unfit for an educational institution where minors were studying. The order stated that the Committee had found her guilty of all the charged misconduct.

17. The speaking order further recorded that the process was neither a

criminal trial nor an oral inquiry under the Central Civil Services (Classification, Control and Appeal) Rules, 1965. According to the Executive Council, it was sufficient for the competent authority to satisfy itself, after affording the Petitioner an opportunity, that the material established misconduct and unsatisfactory performance. The order concluded that she had committed grave misconduct and had failed to make satisfactory progress during her extended period of probation.

18. The Petitioner had earlier instituted W.P.(C) 17153/2024 challenging the show cause notice. After the notice culminated in the discharge order, that petition was withdrawn on 12th December, 2024, with liberty to challenge both the discharge order and the show cause notice.

19. During the hearing of the present petition, a dispute arose regarding the applicable probation regime. By order dated 25th March, 2026, this Court noted that the Petitioner relied upon Clauses 11.1 to 11.3 of the University Grants Commission Regulations, 2018, whereas the University treated her as “other academic staff” governed by Clause 11.5 and the instructions issued by the Department of Personnel and Training. The University was directed to file a short affidavit specifically addressing the applicability and effect of paragraph 27 of the DoPT instructions, including its impact upon the Petitioner’s status.

20. In the short affidavit filed pursuant to that order, the University reiterated that an Assistant Librarian is not a “teacher” for the purposes of Clause 11.1 of the UGC Regulations but falls within the category of “other academic staff”. It relied upon Clause 11.5 to invoke the Central Government instructions and asserted that the normal probationary period was two years, capable of extension up to twice that period. The affidavit

reproduced paragraphs 10 and 16 of the DoPT instructions, but did not furnish any substantive answer to the operation of paragraph 27, notwithstanding the specific direction issued by this Court.

Submissions on behalf of the Petitioner

21. Counsel for the Petitioner submits that Assistant Librarians form part of the academic cadre and are governed by the UGC Regulations, 2018. Reliance is placed upon the UGC communication dated 8th June, 1998 stating that librarians should be treated as academic and non-vocational staff, and upon the UGC Public Notice dated 15th November, 2022 clarifying that the Library Cadre from the level of Assistant Librarian upwards is governed by the UGC Regulations, 2018.

22. On that basis, it is contended that Clauses 11.1 to 11.3 applied to the Petitioner. Her probation could therefore continue only for one year, extendible by one further year through a specific order passed before expiry of the original period. No such order was passed.

23. In the alternative, counsel submits that even if the Petitioner is treated as “other academic staff” and the DoPT instructions are applied through Clause 11.5, the outer limit of probation had expired long before the discharge. Paragraph 27 expressly provides that no employee may remain on probation beyond twice the normal period and that, if no order of confirmation, discharge or reversion is issued within eight weeks thereafter, the employee shall be deemed to have successfully completed probation.

24. It is further argued that the discharge is punitive and stigmatic. The allegations were not merely the occasion for evaluating suitability; their truth was investigated, findings of guilt were recorded, and those findings were expressly accepted by the Executive Council. The Petitioner could not,

therefore, have been removed without a disciplinary inquiry.

Submissions on behalf of the University

25. Counsel for the University submits that the Petitioner accepted a two-year period of probation under the appointment letter and cannot now contend that the applicable period was one year. The UGC Regulations consciously distinguish between teachers and other academic staff. A person appointed as an Assistant Librarian is academic staff, but is not a teacher unless appointed to teach Library Science. Clause 11.1 is therefore inapplicable.

26. It is contended that Clause 11.5 attracts the DoPT instructions. Under paragraph 16, probation could continue up to twice the normal period of two years. The order dated 6th January, 2023 was thus within the permissible period.

27. On the merits, counsel emphasises the seriousness of the allegations. It is submitted that complaints were received from a substantial number of students and staff; an independent committee was constituted; the Petitioner was supplied the complaints; she filed detailed replies; and she was afforded opportunities to appear personally. The Executive Council considered her explanations and concluded that she was unsuitable for continuation in an educational institution.

28. The University maintains that the order dated 9th December, 2024 is an innocuous discharge simpliciter. The speaking order was issued only to demonstrate that the decision was not arbitrary and that adequate opportunity had been granted. The action was not a penalty and therefore did not require a disciplinary inquiry.

Questions for determination

29. The following questions arise for consideration:

- i. Whether the Petitioner was governed by Clauses 11.1 to 11.3 of the UGC Regulations, 2018 or by Clause 11.5 read with the DoPT instructions;
- ii. Whether the Petitioner could lawfully be treated as a probationer on 9th December, 2024;
- iii. Whether the impugned discharge was simpliciter or was founded upon findings of misconduct and was consequently punitive; and
- iv. The relief to which the Petitioner is entitled, having regard to the seriousness of the allegations.

The governing probation regime

30. The UGC Regulations, 2018 apply to university and college teachers, librarians, Directors of Physical Education and other academic staff. They prescribe qualifications and service conditions separately for the different cadres. The UGC Public Notice dated 15th November, 2022 removes any possible doubt that Assistant Librarians and the higher Library Cadre are governed by the UGC Regulations rather than the Model Cadre Recruitment Rules applicable generally to non-teaching posts.

31. The fact that the post is governed by the UGC Regulations does not, however, determine whether every provision applicable to a “teacher” necessarily applies to an Assistant Librarian.

32. Clause 11.1 expressly provides that the minimum period of probation of a “teacher” shall be one year, extendible by a maximum of one further year. Clause 11.2 again refers specifically to a “teacher on probation”. Clause 11.5, on the other hand, makes the other Central Government rules concerning probation and confirmation applicable *mutatis mutandis*.

33. The UGC letter dated 8th June, 1998 was issued on a reference

concerning the treatment of librarians as teachers for non-vocational purposes. The operative clarification states that librarians are to be regarded as academic and non-vocational staff. It establishes their academic character but does not necessarily equate every librarian with a teacher for every service condition.

34. The short affidavit filed by the University also draws attention to the provisions governing career advancement, which distinguish librarians who do not teach Library Science from teachers in institutions where Library Science is itself a teaching department. No material has been placed before the Court to show that the Petitioner was appointed to impart instruction in a Department of Library Science. Her substantive appointment was to the post of Assistant Librarian.

35. For purposes of the present case, the University's classification of the Petitioner as "other academic staff", rather than a teacher governed directly by Clauses 11.1 to 11.3, may therefore be accepted. That conclusion, however, does not assist the University. It brings Clause 11.5 and the DoPT instructions squarely into operation.

Effect of the DoPT instructions

36. The relevant Central Government instructions are contained in Office Memorandum No. 28020/3/2018-Estt.(C) dated 11th March, 2019 and the consolidated instructions concerning probation and confirmation. Paragraph 16 permits extension only by a specified period, requires periodic review, discourages long extensions at one time, and fixes twice the normal probationary period as the absolute ceiling. Paragraph 19 requires the decision to confirm or extend probation to be taken within six to eight weeks of the expiry of the initial period and communicated with reasons. It also

requires that deficiencies be conveyed sufficiently in advance to afford an opportunity for improvement.

37. Paragraph 27 is more explicit. It provides that an employee shall not, in any circumstance, be retained on probation beyond twice the normal prescribed period. If no order confirming, discharging or reverting the employee is issued within eight weeks after expiry of that maximum period, the employee is deemed to have successfully completed probation.

Paragraph 27 reads as under:

“ 27. The date from which confirmation should be given effect is the date following the date of satisfactory completion of the prescribed period of probation or the extended period of probation, as the case may be. The decision to confirm the probationer or to extend the period of probation as the case may be should be communicated to the probationer normally within 6 to 8 weeks. Probation should not be extended for more than a year and, in no circumstance, an employee should be kept on probation for more than double the normal prescribed period of probation. The officer will be deemed to have successfully completed the probation period if no order confirming, discharging or reverting the officer is issued within eight weeks after expiry of double the normal period of prescribed probation.”

38. The scheme thus requires three distinct stages. There is first the normal probationary period. If the performance requires further assessment, there may be an extension for a specified period, accompanied by periodic review. Finally, upon reaching the outer limit, the employer must act within the stipulated eight weeks. The instructions do not contemplate a state of perpetual probation dependent entirely upon administrative inaction.

39. Applying even the most favourable interpretation advanced by the University, the result is clear. The Petitioner joined on 26th November, 2019. On the University's case, the normal probationary period was two years. Twice that period expired on 25th November, 2023. Eight weeks thereafter expired on 20th January, 2024. By that date, no order had been issued

confirming, discharging or reverting the Petitioner.

40. The order dated 23rd January, 2024 placing her on compulsory leave does not answer paragraph 27. It was passed after expiry of the stipulated period and, in any event, was neither an order of confirmation, discharge nor reversion.

41. Nor can the pendency of complaints or an inquiry arrest the operation of paragraph 27. The provision speaks of an “order” passed by the competent authority. An ongoing administrative process is not a substitute for one of the three determinations expressly contemplated. Had the University considered the complaints sufficiently serious, it could have passed an appropriate order within the permissible probationary period or invoked the disciplinary power available under the Statutes. What it could not do was leave the Petitioner’s status unresolved and thereafter revive the power of probationary discharge at a time of its choosing.

42. There is a further difficulty with the order dated 6th January, 2023. The appointment letter permitted extension for a period not exceeding one year. The order was passed after more than three years of service and extended probation “till further orders”. Even on the University’s own reliance upon paragraph 16 of the DoPT instructions, an extension had to be for a specified period, subject to periodic review, and not for an indefinite duration.

43. It is unnecessary to finally resolve the conflict between the stricter condition in the appointment letter, which permitted only one year’s extension, and the broader four-year limit now claimed by the University. Even if the University is granted the full benefit of the four-year period, paragraph 27 had operated by January, 2024. The Petitioner could not

thereafter be treated as a probationer.

44. The short affidavit filed pursuant to the order dated 25th March, 2026 does not confront this consequence. It quotes paragraphs 10 and 16 to establish the normal period and the power of extension, but does not explain why paragraph 27 would not apply. Once the University invokes the DoPT instructions through Clause 11.5, it cannot adopt the provision authorising extension while disregarding the provision which brings probation to an end.

Deemed completion and confirmation

45. The law concerning deemed confirmation depends principally upon the language of the governing rules. In High Court of **Madhya Pradesh v. Satya Narayan Jhavar**,¹ the Supreme Court identified three categories of cases. Where no maximum period is prescribed, continuation beyond the initial period does not ordinarily result in confirmation. Where a maximum period is fixed and no contrary condition exists, confirmation may be deemed to follow upon expiry of that period. In the third category, even where a maximum period is prescribed, the rules may require a specific act, such as passing a test or an express assessment, without which confirmation does not follow. This framework was reiterated in **Durgabai Deshmukh Memorial Senior Secondary School v. J.A.J. Vasu Sena**.²

46. The present case does not require confirmation to be inferred merely from the fixation of a maximum period. Paragraph 27 itself supplies the consequence. It expressly deems the employee to have successfully completed probation where the employer fails to pass any of the stipulated orders within eight weeks after expiry of twice the normal period. The rule

¹ (2001) 7 SCC 161

² Civil Appeal No. 5926 of 2019, decided on 21st August, 2019

is therefore not one of mere administrative expectation. It creates the status which the employer's inaction would otherwise indefinitely withhold.

47. Paragraph 24 states that a specific order of confirmation should be issued once the case is cleared from all angles. That requirement cannot be used to perpetuate probation after paragraph 27 has operated. The formal order records and gives administrative effect to the employee's status; it does not confer upon the employer a power to nullify the express deeming consequence by simply declining to issue the document.

48. The decision of the Calcutta High Court in *Debrup Hui v. Union of India*,³ concerns the same DoPT instructions. It holds that an employee cannot be retained on probation beyond twice the normal period together with the stipulated eight weeks and that a subsequent termination as a probationer is unsustainable. The reasoning on the operation of paragraph 27 is persuasive. It is not necessary, however, to adopt the broader observation in that judgment that confirmation must necessarily relate back to the expiry of the initial period. For the present case, it is sufficient to hold that the Petitioner was deemed to have successfully completed probation upon expiry of the eight-week period following 25th November, 2023.

49. Accordingly, with effect from 21st January, 2024, the Petitioner ceased to be a Petitioner. Although the University continued to possess the power to inquire into allegations of misconduct and take disciplinary action in accordance with law, it could no longer resort to discharge on the footing that she remained a probationer.

50. The conclusion would be no different were the Petitioner regarded as a teacher directly governed by Clauses 11.1 to 11.3. Under that regime,

probation could continue only for one year, extendible by one further year through a specific order passed before expiry of the original period. Thus, on either view of her classification, the Petitioner could not lawfully be treated as being on probation in December, 2024.

Whether the discharge was simpliciter

51. There is an additional reason why the impugned action cannot be sustained. Even assuming that the Petitioner could lawfully have been treated as a probationer, the material on record does not disclose a discharge simpliciter.

52. It is settled that a probationer may be discharged on the ground of unsuitability without recourse to a formal disciplinary inquiry. The position is, however, different where the employer embarks upon an inquiry into specific allegations, records findings of misconduct and makes those findings the basis of the order of discharge. In such a case, the allegations cease to be the mere motive for the action and become its foundation, rendering the termination punitive in nature.⁴

53. In the present case, the discharge order dated 9th December, 2024 cannot be read in isolation from the speaking order dated 10th December, 2024, which forms part of the same decision. The speaking order records that the Committee found the Petitioner “guilty of all the charged misconduct”, accepts findings of harassment, indecent conduct and other grave misconduct, and concludes that she is unfit for continuation in an educational institution. The counter affidavit similarly states that the action was founded upon “substantial issues of grave misconduct while continuing

³ (2025) 2 HCC (Cal) 1

⁴ *Dipti Prakash Banerjee v. Satyendra Nath Bose National Centre for Basic Sciences*, (1999) 3 SCC 60;

under probation”.

54. The allegations were thus not merely the motive for assessing the Petitioner’s suitability. They were investigated, held proved, and made the very basis of her removal. The impugned action was therefore punitive in nature and could not have been sustained as a discharge simpliciter.

The opportunity afforded to the Petitioner

55. It would not be correct to hold that the Petitioner was afforded no opportunity at all. She was supplied with the complaints in stages, submitted detailed written replies, appeared before the Committee, and was thereafter issued a show cause notice. The University did undertake a process of hearing her version.

56. The difficulty, however, lies elsewhere. The process adopted was not a disciplinary inquiry into charges of misconduct. The Petitioner was not served with a formal memorandum of charges, the evidence of the complainants was not recorded in her presence, and her request to test the allegations through cross-examination was declined. More importantly, the Committee had already returned findings that the complaints were true before the show cause notice was issued. The notice therefore invited a response to conclusions that had substantially crystallised, rather than forming part of the process by which those conclusions were to be reached.

57. The speaking order itself recognises that the University did not undertake a disciplinary proceeding and proceeded instead on the footing that such a process was unnecessary. That approach may have been sufficient had the University merely been assessing the suitability of a probationer. It could not, however, sustain findings of misconduct carrying

General Manager, Bank of Baroda v. Ashok Kumar Singh, 2026 INSC 589.



punitive consequences, particularly after the Petitioner had ceased to be a probationer. If the allegations warranted removal from service, the University was required to proceed under the applicable disciplinary framework.

Statute 27 of the Central Sanskrit Universities Act, 2020

58. Statute 27 of the Second Schedule to the Central Sanskrit Universities Act, 2020 provides a complete framework for action where misconduct is alleged against a teacher, a member of the academic staff or another employee.

59. It authorises suspension pending action; vests the power of removal for misconduct in the Executive Council in respect of teachers and other academic staff; requires a reasonable opportunity to show cause against the proposed action; and stipulates the prescribed majority where a regularly appointed employee is removed.

60. The discharge order refers to Statute 27, but the University did not in substance exercise the statutory power of removal for misconduct. It treated the Petitioner as a probationer, paid her one month's salary in lieu of notice, disclaimed the penal character of the action, and expressly stated that no oral disciplinary inquiry was required.

61. Mere citation of Statute 27 cannot alter the true character of the decision. An action consciously taken as a probationary discharge cannot retrospectively be sustained as a disciplinary removal of a regular employee. The two powers rest upon different conditions, procedures and consequences.

62. Once the Petitioner had successfully completed probation by operation of paragraph 27 of the DoPT instructions, the University remained

free to proceed against her under Statute 27. That lawful route was not followed. Instead, the University conflated the power to assess a probationer with the power to punish misconduct. The impugned orders are vitiated by that fundamental error.

The compulsory leave order

63. The order dated 23rd January, 2024 directing the Petitioner to remain on compulsory leave and debiting the period against her earned leave is also unsustainable.

64. No rule authorising the University to compel an employee to remain on leave at the cost of her accumulated leave has been cited. If the allegations warranted removal of the Petitioner from the workplace pending inquiry, Statute 27 expressly permitted suspension. The University could not achieve the same result by directing compulsory leave and reducing the Petitioner's earned leave balance.

65. The order dated 23rd January, 2024 must consequently be set aside and the earned leave debited pursuant thereto restored.

Relief and Directions

66. The setting aside of the impugned orders does not amount to a declaration that the complaints are false or that the Petitioner is innocent of the allegations. The Committee's findings cannot be sustained as concluded findings of guilt, but the underlying complaints and material remain available to the University for action in accordance with law.

67. While reinstatement must follow from the setting aside of the impugned orders, the question of back wages requires separate consideration. The illegality in the present case concerns both the Petitioner's status and the procedure adopted for her removal. The

allegations themselves remain to be adjudicated. It would therefore be inappropriate either to deny all monetary relief at this stage or to grant full back wages before the disciplinary process is concluded. The intervening period shall be regulated in the manner directed below.

68. For the reasons recorded above, the writ petition is allowed in the following terms:

- i. The office order dated 6th January, 2023 extending the Petitioner's probation is quashed.
- ii. The Petitioner was deemed to have successfully completed probation upon expiry of eight weeks after 25th November, 2023. She could not be treated as a probationer with effect from 21st January, 2024.
- iii. The University shall issue a formal order recording the Petitioner's successful completion of probation and confirmation in service within four weeks from the date of this judgment.
- iv. The order dated 23rd January, 2024 placing the Petitioner on compulsory leave is set aside. Any earned leave debited pursuant to that order shall be restored to her leave account within four weeks.
- v. The show cause notice dated 5th June, 2024, insofar as it proceeds on the premise that the Committee's findings had conclusively established guilt and contemplated action by way of probationary discharge, cannot be sustained.
- vi. The discharge order dated 9th December, 2024 and the speaking order dated 10th December, 2024 are quashed.
- vii. The Petitioner shall be reinstated in service with continuity within four weeks. Reinstatement shall not preclude the University from placing her under suspension in accordance with Statute 27 or assigning her non-



student-facing duties, if considered necessary by a reasoned order.

viii. The University shall be at liberty to institute fresh disciplinary proceedings under Statute 27 of the Second Schedule to the Central Sanskrit Universities Act, 2020, on the basis of the underlying complaints and material. The findings recorded by the earlier committees and in the speaking order shall not be treated as binding or conclusive in such proceedings.

ix. If the University elects to initiate disciplinary proceedings, the memorandum of charges shall be issued within six weeks. The proceedings shall, as far as practicable, be concluded within six months thereafter, subject to the Petitioner's cooperation.

x. The Petitioner shall be entitled to continuity of service for the period between 9th December, 2024 and her reinstatement. Salary from the date of actual reinstatement, or subsistence allowance in the event of suspension, shall be paid in accordance with the applicable rules.

xi. The claim for back wages for the period between discharge and reinstatement shall abide by the outcome of the disciplinary proceedings. If the Petitioner is exonerated, she shall be entitled to full back wages and consequential monetary benefits. If a penalty is imposed, the competent authority shall regulate the period in accordance with law. If no disciplinary proceedings are initiated within the period stipulated above, the Petitioner shall be entitled to full back wages for the intervening period.

69. Nothing stated in this judgment shall be construed as an expression upon the truth or falsity of the allegations against the Petitioner. All issues of fact are left open for determination in accordance with law.



70. The writ petition is allowed in the above terms. The pending applications also stand disposed of.

SANJEEV NARULA, J

JULY 23, 2026/as