

(2021) 01 DEL CK 0228

In the Delhi High Court

Case No : Civil Writ Petition No. 668 Of 2021, Civil Miscellaneous Application No. 1617 Of 2021

Dr. R K Chopra

APPELLANT

Vs

College Of Vocational Studies & Ors

RESPONDENT

Date of Decision : 15-01-2021

Acts Referred:

Citation : (2021) 01 DEL CK 0228

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ; Jyoti Singh, J

Bench : Division Bench

Advocate : Joby P. Varghese, Arun Bhardwaj

Final Decision : Dismissed

Judgement

D. N. Patel, CJ

Proceedings in the matter have been conducted through video conferencing.

1. This Public Interest Litigation has been preferred with the following prayers :

(1). Call for the records of the case;

(2). Issue a writ of Mandamus or any other like writ, order or direction in nature thereof directing Respondent No.1 to consider the representation

dated 03.09.2020 submitted by the Petitioner and to constitute an independent inquiry committee consisting of a Retired Judge of this Honâ??ble

Court to conduct an independent probe into various irregularities and acts of corruption committed by the Principal forming part Complaints made by

the Petitioner, and;

(3). Quash the Minutes of the Governing Body meeting of the Respondent No.1 College dated 25.03.2019 to the extent whereby the Complaints

preferred by the Petitioner qua the irregularities and corruption of Dr.Inderjeet Dagar (Principal) was closed;

(4). Pass such order or further order(s) as may be deemed fit and proper in facts and circumstances of the present case.â??

2. We have heard learned counsels for the parties and looked into the facts and circumstances of the case. Petitioner herein is a retired Associate

Professor of Respondent No.1. It is evident that even after retirement, the petitioner is continuing to prefer repeated complaints with the Respondents

against the Principal of respondent No. 1/College. According to the petitioner, he has been making complaints against the alleged irregularities

committed by the Principal, since 2005 but no action has been taken on his complaints.

3. Counsel appearing for Respondent Nos.1 and 3 submits that the petitioner is a retired and disgruntled employee of Respondent No.1. While in

service he was aspiring to be the principal of the College, however, he was not appointed due to lack of merits. Subsequently, the petitioner made

efforts to have his daughter appointed in the College, but was unsuccessful. It is further submitted by counsel for Respondent Nos.1 and 3 that it is out

of sheer vendetta that the petitioner is continuing to make false and frivolous complaints and is harassing the respondents. It is pointed out that as

many as 500 RTI applications and 100 complaints have been preferred by the petitioner.

4. Learned counsel for the respondents also submits that on receipt of the complaints, a Multi Member Committee was constituted by Respondent

Nos.1 and 3 to look into the complaints of the petitioner. Vide minutes dated 25th March, 2019, the Governing Body comprising of 7 Members has

accepted the Report of the 3 Member Fact Finding Committee and found the complaints to be baseless. Thus, it is submitted by the counsel for

Respondent Nos.1 and 3 that there is no substance in this writ petition and the same be dismissed with costs as no public interest is involved in this

writ petition.

5. Having heard the learned counsels for both sides and looking to the facts and circumstances of the case, it appears that this is not a Public Interest

Litigation at all. It also appears from the facts of the case that this petitioner for any reason whatsoever either because he was not appointed as

Principal or because his daughter was not appointed as Professor or Lecturer or for any other reason best known to the petitioner, after his retirement

in the year 2015 continued filing several complaints with the Respondents.

6. A 3 Member Fact Finding Committee was constituted by Respondent No.1 and as per the report the complaints were without any basis. The

Report has been accepted by the Governing Body of respondent No. 1 as it agreed with the conclusion and finding of the Fact Finding Committee.

7. In view of these facts and circumstances, we see no reason to entertain this writ petition as a Public Interest Litigation. This is in fact a Private

Interest Litigation. Hence, the writ petition is hereby dismissed with costs of Rs.5,000/- to be paid by the petitioner to the Delhi State Legal Services

Authority, within six weeks from today. The aforesaid amount shall be utilized for the programme "Access to Justice".

8. A copy of this order be sent forthwith to the Member Secretary, Delhi State Legal Services Authority, Patiala House Courts, New Delhi.

9. Pending application also stands disposed of.