
(2019) 09 DEL CK 0173

In the Delhi High Court

Case No : Civil Writ Petition No. 10057 Of 2019

Vedansh Pandey

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 17-09-2019

Acts Referred:

Citation : (2019) 09 DEL CK 0173

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : J.P.N. Shahi, Mohinder J.S. Rupal, Hardik Rupal, Prang Newmei

Final Decision : Disposed Off

Judgement

Sanjeev Sachdeva, J

W.P.(C) 10057/2019 & CM APPL.41593/2019 (for interim directions)

1. Petitioner seeks a mandamus directing the respondents to re-conduct the Student's Union Elections of the Delhi University.
2. It is contended by the petitioner that he was an eligible voter duly admitted to the 3rd Semester of Law Centre - I of Faculty of law, Delhi University and when he attempted to cast his vote, he was prevented from casting his vote.
3. Petitioner, who appears in person, submits that no reason was communicated to the petitioner as to why he was prevented from casting his vote. It is pointed out that a representation/complaint was made to the Grievance Redressal Committee, Law Centre-I on 12.09.2019, i.e., the date of polling which was also followed by an e-mail dated 13.09.2019. However, till date, neither his representation has been disposed of nor any communication has been received by him with regard to his complaint.
4. Issue notice. Notice is accepted by learned counsel appearing for the respondent No.1. Notice is also accepted by learned counsel appearing for

respondent Nos.2 to 4.

5. Since the election of the Delhi University has already been held and the petitioner admittedly was not a candidate, no direction can be issued in this petition setting aside the election by this Court at this stage.

6. Para 6.8.4 of the Lyngdoh Committee's Report reads as under:

"6.8.4 Members of the Grievance cell are prohibited from filing complaints. Any other student may file a complaint with the Grievance cell, within a period of 3 weeks from the date of declaration of results. All complaints must be filed under the name of the student filing the complaint. The Grievance cell shall act on all complaints within 24 hours after they are received by either dismissing them or calling a hearing."

7. In terms of Para 6.8.4 of the Lyngdoh Committee's Report, since the petitioner has given a representation to the Grievance Redressal Cell, it is obligatory on the part of the Grievance Redressal Cell to act on the complaint of the petitioner within 24 hours either by dismissing it or by calling a hearing.

8. Since the petitioner has made a complaint to the Grievance Redressal Cell, in the first instance the Grievance Redressal Cell is liable to be directed to act in accordance with Para 6.8.4 of the Lyngdoh Committee's Report.

9. The Petition is, accordingly, disposed of with a direction to the Grievance Redressal Cell to act in accordance with Para 6.8.4 of the Lyngdoh Committee's Report.

10. It would be open to the Grievance Redressal Cell to pass an appropriate order in terms of the Lyngdoh Committee's Report, if any merit is found in the complaint of the petitioner in terms of the said report without being influenced by anything stated in this order.

11. It is clarified that this Court has neither considered nor expressed any opinion on the merits of the claim of the petitioner.

12. Petition is, accordingly, disposed of in the above terms.

13. Order Dasti under the signatures of the Court Master.