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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 4158/2022, CM APPL. 35839/2022 CM APPL.
13709/2023, CM APPL. 17074/2023 and CM APPL. 7515/2024

ANAND KUMAR SINGH Petitioner
Through: Mr. Ashwarya Sinha, Mr.
Aditya Malhotra and Ms. Surbhi Kumari,
Adv.

versus

JAMIA MILLIA ISLAMIA
UNIVERSITY & ORS. Respondents
Through: Mr. Pritish Sabharwal, Adv. for
JMI

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR

% **ORDER**
15.04.2024

1. Mr. Sabharwal, learned Counsel for the JMI submits that the petitioner is in breach of the undertaking contained in para 5 of the order dated 7 February 2024, passed by this Court in Cont. Cas. (C) 219/2024, which reads thus:

“5. Mr. Piyush Gupta, learned Counsel for the petitioner submits, on instructions, that his client is willing to give an undertaking that, in the event of the UGC releasing the fellowship to which the petitioner is entitled from November 2021 till 21 March 2023, the petitioner would return, to the JMI, the amount of ₹ 3,04,250/- paid by the JMI.”

2. Mr. Sabharwal further submits that the petitioner has, in fact, received the aforesaid amount of ₹ 3,04,250/- and perhaps even excess thereof from the UGC and is, therefore, bound to release the aforesaid amount to the JMI as per the undertaking recorded in para 5 of the



order dated 7 February 2024.

3. To a query from the Court, as to whether the petitioner has, in fact, received ₹ 3,04,250/- from the UGC, learned Counsel for the petitioner is unable to state the exact amount which the petitioner has received.

4. It is made clear that in the event that the petitioner has received ₹ 3,04,250/- or any amount excess thereof from the UGC, this Court would not be inclined to entertain this writ petition unless the petitioner complies with para 5 of the order dated 7 February 2024 passed in Cont. Cas. (C) 219/2024 extracted supra. A party in breach of an undertaking given to the Court cannot seek to invoke the equitable jurisdiction vested under Article 226 of the Constitution of India.

5. Renotify on 26 April 2024 in order to enable learned Counsel for the petitioner to take instructions.

C.HARI SHANKAR, J

APRIL 15, 2024

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[Click here to check corrigendum, if any](#)