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

CNR No. DLHC010645842024

+ **W.P.(C) 13444/2024, CM APPL. 56176-56177/2024**

MS. MOUSMI ROY

.....Petitioner

Through: **Mr. Shiv B. Chetry and Ms. Swati Singh, Advocates.**

versus

UNION OF INDIA & OTHERS

.....Respondents

Through: **Mr. Gaurav Barathi, Mr. Rahul Dwivedi and Ms. Manvi Goyal, Advocates for R-3, 4.
Mr. Syed Abdul Haseeb, CGSC with Mr. Muhammad Aamir Khan, Advocate for UOI.
Ms. Radhika Bishwajit Dubey, CGSC with Ms. Gurleen Kaur Waraich, Mr. Amulya Dev Mishra and Mr. Saksham Sharma, Advocates for R-1, 2.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

01.09.2026

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1. The Petitioner was a permanent employee of Respondent No. 4, IFFCO Kisan Suvidha Ltd. (formerly known as IFFCO Kisan Sanchar Ltd.), and assails the termination of her services after nearly 17 years of continuous employment, lastly as Senior Executive (Administration). Respondent No. 4 is a subsidiary of Respondent No. 3, Indian Farmers Fertilizer Cooperative Ltd. ["IFFCO"]. Respondent Nos. 1 and 2 are the



Union of India and the Central Registrar of Cooperative Societies, respectively. The substantive reliefs sought in the petition are, however, directed against Respondent No. 4, with whom the Petitioner had an employer-employee relationship.

2. Although the present petition has been pending for some time, counsel for Respondent No. 4 raises, at the outset, a preliminary objection to its maintainability on the ground that Respondent No. 4 is not “State” within the meaning of Article 12 of the Constitution of India. In this regard, he places reliance on the decision of this Court in ***Laxman Singh v. Indian Farmers Fertilizer Co-operative Ltd.***, W.P.(C) 2024/1990, dated 18th November, 1990. Reliance is also placed on ***Subhash Chandra Agrawal v. Indian Farmers Fertiliser Cooperative Ltd. & Anr.***,¹ wherein this Court held that IFFCO is not a “public authority” under the Right to Information Act, 2005.

3. In light of the aforesaid objection, counsel for the Petitioner seeks leave to withdraw the present petition with liberty to avail appropriate remedies before the court of competent jurisdiction. He further requests that the period spent in pursuing the present proceedings be excluded for the purpose of limitation. Counsel for Respondent No. 4 opposes this request, contending that the period of limitation had already expired when the present petition was instituted.

4. Be that as it may, if the Petitioner takes recourse to a civil remedy, it shall be open to her to seek the benefit of Section 14 of the Limitation Act, 1963. Any such plea, including the exclusion of the period spent in pursuing

¹ 2015:DHC:1975.



the present proceedings, shall be considered by the court of competent jurisdiction in accordance with law.

5. Accordingly, the petition is dismissed as withdrawn, with liberty as aforesaid. The pending applications are also disposed of. This Court has not examined the merits of the case and all rights and contentions of the parties are left open.

SANJEEV NARULA, J

SEPTEMBER 1, 2026

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