

Munish Kumar vs. Central University of Himachal Pradesh

CWP No. 11445 of 2025

17.07.2025 Present Mr. Sparsh Bhushan, Advocate, for the petitioner.
Mr. Narender Thakur, CGC, for the respondent.

CWP No. 11445 of 2025

Notice. Mr. Narender Thakur, learned CGC, appears and waives service of notice on behalf of the respondent. He prays for and is granted two weeks' time to file reply.

List on 12.08.2025.

CMP No. 16523 of 2025

Notice in the aforesaid terms.

By way of this application, prayer has been made to stay the implementation and execution of decision taken in 78th meeting of the Executive Council on 16.4.2025 vide item No. 78.1(T) (Annexure P-16), whereby following has been observed:

“Item No. 78.1(T) The Executive Council after perusal of the entire matter and deliberations at length endorsed its deep displeasure towards both the aforesaid Non-Teaching employees of the University for their repeated indiscipline. The Executive Council directed the University to initiate disciplinary proceedings against both the aforesaid Non-Teaching employees of the University for which the Executive Council authorized the Vice-Chancellor to constitute a committee under CCS(CCA) Rules.”

Though, an objection has been taken by learned counsel for the respondent-University that the present petition is pre-mature as only Show Cause Notices have been issued, as such, neither the petition is maintainable nor any stay can be granted, as it would amount to curtailing disciplinary proceedings.

Having perused the contents of Annexure P-16 and Show Cause Notices (Annexures P-12 and P-13), this Court is of the considered view that the Executive Council has already made up its mind and directed the University to initiate disciplinary proceedings and Show Cause Notices seem to be mere formality.

For the aforesaid reasons, operation and implementation of Show Cause Notices (Annexures P-12 and P-13), Annexure P-16, as also further proceedings, pursuant thereto are hereby stayed and respondent-University is restrained from taking any action/coercive action against the petitioners, till further orders.

(Sandeep Sharma)
Judge

July 17, 2025
(shankar)