

**36 & 38 to 46**

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

+ W.P.(C) 4380/2016 & CM APPLs. 18344-18345/2016

KANHAIYA KUMAR ..... Petitioner  
Through: Ms. Rebecca John, Senior Advocate with  
Ms. Tarannum Cheema and Mr. Harsh  
Bora, Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY & ANR ..... Respondents  
Through: Ms. Ginny J. Rautray and Mr. Mohinder  
J.S. Rupal, Ms. Parul Kandoi and  
Ms. Simran Jeet, Advocates.

**With**

+ W.P.(C) 4388/2016 & CM APPL. 18378/2016

REYAZUL HAQUE ..... Petitioner  
Through: Ms. Malavika Rajkotia, Advocate with  
Mr. Vaibhav Vats and Ms. Arpita Rai,  
Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY ..... Respondent  
Through: Ms. Ginny J. Rautray and Mr. Mohinder  
J.S. Rupal, Ms. Parul Kandoi and  
Ms. Simran Jeet, Advocates.

**With**

+ W.P.(C) 4389/2016 & CM APPL. 18379/2016

GARGI ADHIKARI ..... Petitioner  
Through: Ms. Malavika Rajkotia, Advocate with  
Mr. Vaibhav Vats and Ms. Arpita Rai,  
Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY ..... Respondent  
Through: Ms. Ginny J. Rautray and Mr. Mohinder  
J.S. Rupal, Ms. Parul Kandoi and  
Ms. Simran Jeet, Advocates.

**With**

+ W.P.(C) 4390/2016 & CM APPL. 18380/2016

ANWESHA CHAKRABORTY ..... Petitioner  
Through: Ms. Malavika Rajkotia, Advocate with  
Mr. Vaibhav Vats and Ms. Arpita Rai,  
Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY ..... Respondent  
Through: Ms. Ginny J. Rautray and Mr. Mohinder  
J.S. Rupal, Ms. Parul Kandoi and  
Ms. Simran Jeet, Advocates.

**With**

+ W.P.(C) 4391/2016 & CM APPL. 18381/2016

RUBINA SAIFE ..... Petitioner  
Through: Ms. Malavika Rajkotia, Advocate with  
Mr. Vaibhav Vats, Ms. Arpita Rai and  
Mr. Ranjay N., Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY ..... Respondent  
Through: Ms. Ginny J. Rautray and Mr. Mohinder  
J.S. Rupal, Ms. Parul Kandoi and  
Ms. Simran Jeet, Advocates.

**With**

+ W.P.(C) 4392/2016 & CM APPL. 18382/2016

ASWATHI A. NAIR

..... Petitioner

Through: Ms. Malavika Rajkotia, Advocate with  
Mr. Vaibhav Vats, Ms. Arpita Rai and  
Mr. Ranjay N., Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY

..... Respondent

Through: Ms. Ginny J. Rautray and Mr. Mohinder  
J.S. Rupal, Ms. Parul Kandoi and  
Ms. Simran Jeet, Advocates.

**With**

+ W.P.(C) 4393/2016 & CM APPL. 18383/2016

AISHWARYA ADHIKARI

..... Petitioner

Through: Ms. Malavika Rajkotia, Advocate with  
Mr. Vaibhav Vats, Ms. Arpita Rai and  
Mr. Ranjay N., Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY

..... Respondent

Through: Ms. Ginny J. Rautray and Mr. Mohinder  
J.S. Rupal, Ms. Parul Kandoi and  
Ms. Simran Jeet, Advocates.

**With**

+ W.P.(C) 4394/2016 & CM APPL. 18384/2016

KOMAL MOHITE

..... Petitioner

Through: Ms. Malavika Rajkotia, Advocate with  
Mr. Vaibhav Vats, Ms. Arpita Rai and  
Mr. Ranjay N., Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY ..... Respondent  
Through: Ms. Ginny J. Rautray and Mr. Mohinder  
J.S. Rupal, Ms. Parul Kandoi and  
Ms. Simran Jeet, Advocates.

**With**

+ W.P.(C) 4395/2016 & CM APPL. 18385/2016

ASHUTOSH KUMAR ..... Petitioner  
Through: Ms. Nitya Ramakrishnan, Mr. Sarim  
Naved, Mr. Shadan Farasat, Mr. Ahmed  
Saeed, Ms. Warisha Parasat and  
Mr. Suroor Mander, Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY ..... Respondent  
Through: Ms. Ginny J. Rautray and Mr. Mohinder  
J.S. Rupal, Ms. Parul Kandoi and  
Ms. Simran Jeet, Advocates.

**AND**

+ W.P.(C) 4398/2016 & CM APPLs. 18390-18391/2016

CHINTU KUMARI & ORS ..... Petitioners  
Through: Ms. Nitya Ramakrishnan, Mr. Sarim  
Naved, Mr. Shadan Farasat, Mr. Ahmed  
Saeed, Ms. Warisha Parasat and  
Mr. Suroor Mander, Advocates.

versus

JAWAHAR LAL NEHRU UNIVERSITY ..... Respondent  
Through: Ms. Ginny J. Rautray and Mr. Mohinder

J.S. Rupal, Ms. Parul Kandoi and  
Ms. Simran Jeet, Advocates.

**CORAM:**  
**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**  
% **13.05.2016**

At the outset, learned counsel for petitioners assure and undertake to this Court that JNUSU as well as its affiliated bodies would withdraw their pending strike and would not indulge in any strike or dharna or agitation in future in connection with the issues before this Court and/or till the legal proceedings pending as of date between the parties attain finality. They further assure this Court that discipline on the campus shall be maintained. However, they pray that they be given permission to make peaceful appeal/representation to the concerned authorities.

The statements, assurances and undertakings given by the learned counsel for petitioners as well as on behalf of JNUSU are accepted by this Court and petitioners are held bound by the same.

A perusal of the paper books reveal that all the petitioners have filed appeals against the impugned High Level Enquiry Committee report. Some of the petitioners have even filed stay applications for stay of the High Level Enquiry Committee report as well as the penalty imposed.

Since an appeal is continuation of the main proceedings and no date of hearing is fixed in the present appeals, this Court is of the opinion that the petitioners cannot be condemned unheard. Consequently, it directs that till the appeals of the petitioners and others who have filed the appeals or/are in the process of being filed, are heard and disposed of, the impugned orders

shall not be given effect to.

To facilitate the petitioners to file alternate proceedings, in the event, appeals filed by the petitioners are rejected, the said appellate orders shall not be given effect to for a period of two weeks.

However, it is made clear that the protection granted by this Court is conditional upon the petitioners and JNUSU complying with their undertaking to this Court that they shall immediately withdraw their strike and would not indulge in any strike or dharna or agitation or coercive action in future in connection with the issues before this Court and/or till the legal proceedings pending as of date between the parties attain finality

Before parting with these cases, this Court would like to place on record its appreciation for the pragmatic stand taken by the counsel appearing for the parties.

With the aforesaid observations and directions, present writ petitions and applications stand disposed of.

Order dasti under the signature of the Court Master.

**MANMOHAN, J**

**MAY 13, 2016**

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