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

+ W.P. (C) 12636/2025 & CM APPL. 12470/2026

NADIA

.....Petitioner

Through: Mr. Abhik Chimni, Ms Pranjali
Abrol, Mr Gurpal Singh, Mr. Ayan
Dasgupta Samarendra Ms Moksha
Sharma, Advs.

versus

DR B R AMBEDKAR UNIVERSITY DELHI

.....Respondent

Through: Mr. Mohinder Rupal, Mr. Hardik
Rupal, Ms. Aishwarya Malhotra &
Ms. Tripta Sharma, Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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13.03.2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:

“a. Issue a Writ of Certiorari or any other appropriate Writ/Direction/Order quashing the Impugned Order dated 27.06.2025 passed by the Respondent University; AND

b. Issue a Writ of Certiorari or any other appropriate Writ/Direction/Order quashing the Impugned Order dated 11.08.2025 passed by the Respondent University;



c. Pass such further orders as this Hon'ble Court may deem fit in the facts and circumstances of the captioned Petition;”

2. The brief facts of the case are that the petitioner is a student in the respondent University. The present controversy arises from serious allegations by a student enrolled in Global Studies at the respondent University, being subjected to severe ragging, bullying including derogatory, vicious and gender insensitive remarks, which had driven the student to self-harm. The petitioner lodged complaints and protests which led to the suspension of the petitioner.

3. The petitioner filed a writ petition bearing **W.P. (C) 4177/2025** titled **Anan Bijo & Ors. v. Dr. B.R. Ambedkar University** challenging the suspension order dated 05.03.2025, in which *vide* order dated 15.04.2025, this Court permitted the petitioner to attend classes but in the meantime directed the petitioner not to take part in any protest. The said direction are reads as under:

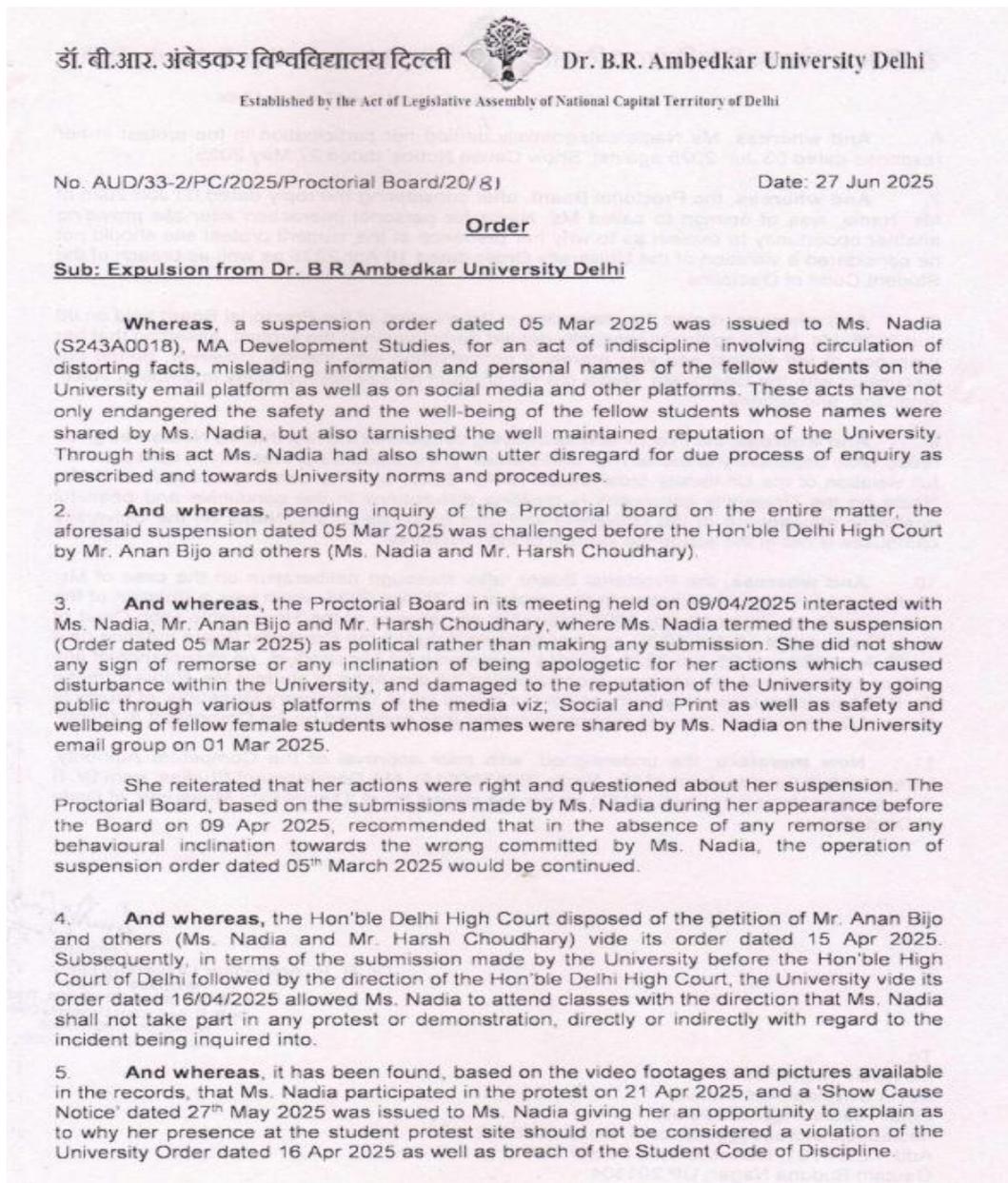
“8. However, petitioner is directed that he shall not take part in any protest or demonstration, directly or indirectly, with regard to the incident being enquired into. Further, it is expected that the petitioner will maintain discipline in the campus.”

4. Thereafter, as per the respondent the petitioner participated in another campus wide boycott led by AUDSC as a result of which the respondent issued a show cause notice dated 27.05.2025, wherein the petitioner was put to notice as to the participation in a protest in violation of the order dated 15.04.2025 of this Court. Hence, a breach of student code of discipline. The petitioner duly replied to the said notice on 03.06.2025, wherein the petitioner



explained that the petitioner holds the highest regard for the orders passed by this Court and did not participate in any protest and she was merely present at the protest site to meet a friend during which a photograph of her had been clicked by the security.

5. The aforesaid formed the basis of the impugned order dated 27.06.2025, which reads as under:



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 24/03/2026 at 17:15:33



डॉ. बी.आर. अंबेडकर विश्वविद्यालय दिल्ली



Dr. B.R. Ambedkar University Delhi

Established by the Act of Legislative Assembly of National Capital Territory of Delhi

6. **And whereas**, Ms Nadia categorically denied her participation in the protest in her response dated 03 Jun 2025 against 'Show Cause Notice' dated 27 May 2025.

7. **And whereas**, the Proctorial Board, after considering the reply dated 03 Jun 2025 of Ms. Nadia, was of opinion to called Ms. Nadia for personal interaction *inter-alia* providing another opportunity to explain as to why her presence at the student protest site should not be considered a violation of the University Order dated 16 Apr 2025 as well as breach of the Student Code of Discipline.

8. **And whereas**, during the interaction in the meeting of the Proctorial Board held on 06 Jun 2025, Ms. Nadia again categorically denied participation in the protest, asserting that her presence at the protest site was merely a conversation with friends. However, during her discussion with the Board, Ms. Nadia did not conduct herself appropriately in terms of voice, language, and actions.

9. **And whereas**, the Proctorial board having considered the fact that Ms Nadia was given reasonable opportunity to explain her participation in the student's protest which constitute will full violation of the University order dated 16 Apr 2025, and the continued presence of Ms. Nadia on the University campuses is creating disturbance in the conducive and peaceful academic atmosphere of the University and thus presence of Ms. Nadia on the University campuses is not in the academic interest of the University.

10. **And whereas**, the Proctorial Board, after thorough deliberation on the case of Ms. Nadia regarding her participation in the protest on 21 Apr 2025 which was a violation of the University Order dated 16 Apr 2025 (Issued in compliance of the Honourable High Court of Delhi Order dated 15 Apr 2025) and her behaviour during the Proctorial Board meeting held on 09 Apr 2025 and 06 Jun 2025, besides no remorse for her conduct, no acceptance of any guilt or expression of any apology, recommended the expulsion of student Ms. Nadia from the Dr. B R Ambedkar University Delhi as per the clause (k) of 'Disciplinary Measures' of students Code of Discipline and the said recommendations was approved by the Competent Authority.

11. **Now therefore**, the undersigned, with prior approval of the Competent Authority, hereby orders the expulsion of Ms. Nadia (S243A0018), MA Development Studies, from Dr. B R Ambedkar University Delhi (AUD) as per the clause (k) of 'Disciplinary Measures' of Code of Discipline.



6. The order dated 16.04.2025 passed by the Proctorial Board of the respondent university in furtherance of the order dated 15.04.2025 reads as under:

डॉ. बी.आर. अंबेडकर विश्वविद्यालय दिल्ली  Dr. B.R. Ambedkar University Delhi
 Established by the Act of Legislative Assembly of National Capital Territory of Delhi

No. AUD/33-2/PC/2025/Proctorial Board **Date: -16.04.2025**

ORDER

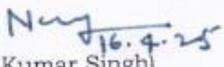
The Hon'ble High Court of Delhi, while disposing of the writ petition W.P.(C) 4177/2025 and CM AAPL.19367/2025 titled *Anan Bijo & Ors. Vs. Dr. B. R. Ambedkar University Delhi*, has taken on records the submission made by the University that

".....the respondent/University is withdrawing the impugned order dated 05.03.2025 with liberty to conduct de-novo enquiry in terms of the Rules and Regulations of the University against the petitioner.....during the pendency of enquiry, petitioner can attend the classes....."

2. Accordingly, pending enquiry, Ms. Nadia is allowed to attend the classes.

3. In terms of the direction of the Hon'ble High Court of Delhi, Ms. Nadia is directed that he shall not take part in any protest or demonstration, directly or indirectly, with regard to the incident being inquired into. Further, it is expected that Ms. Nadia will maintain discipline in the campus.

This issues with the prior approval of the Competent Authority.


 (Dr. Navlendra Kumar Singh)
 Registrar

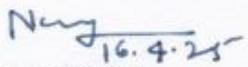
To

Ms. Nadia (S243A0018)
nadiadocsnstorage@gmail.com, nadia.24@stu.aud.ac.in

No. AUD/33-2/PC/2025/Proctorial Board **Date: -16.04.2025**

Copy for information and necessary action

1. The Proctor
2. The Dean SS/Dean AES/Dean SUS/Dean SDS.
3. The Director KPC/ IT
4. Deputy Registrar (Estate)
5. The AR (VCO)
6. The AR (Office of the Registrar)
7. Guard File


 (Dr. Navlendra Kumar Singh)
 Registrar



7. The petitioner has been expelled as a disciplinary measure for participating in a sit down protest. In the present case the act of the respondent University, i.e. penalisation of a sit down protest is wholly untenable in law. It strikes at the very heart of spirit of democracy and freedom of speech and right of peacefully assembly protected under the Article 19 (1) (a) and (b) of the Constitution of India

8. In ***Ramlila Maidan Incident, In Re (2012) 5 SCC 1*** the Hon'ble Supreme Court reiterated the right of peaceful protest and the relevant paragraph read as under:

“295. The right to peacefully and lawfully assemble together and to freely express oneself coupled with the right to know about such expression is guaranteed under Article 19 of the Constitution of India. Such a right is inherent and is also coupled with the right to freedom and liberty which have been conferred under Article 21 of the Constitution of India.”

9. In ***Mazdoor Kisan Shakti Sangathan v. Union of India, (2018) 17 SCC 324*** the Hon'ble Supreme Court reiterated that right to protest is a fundamental right under Constitution of India and is a crucial pillar of democracy. The relevant observations reads as under:

“54. The right to protest is, thus, recognised as a fundamental right under the Constitution. This right is crucial in a democracy which rests on participation of an informed citizenry in governance. This right is also crucial since it strengthens representative democracy by enabling direct participation in public affairs where individuals and groups are able to express



dissent and grievances, expose the flaws in governance and demand accountability from the State authorities as well as powerful entities. This right is crucial in a vibrant democracy like India but more so in the Indian context to aid in the assertion of the rights of the marginalised and poorly represented minorities.”

10. A school/ university is an instrumentality of the State and carries out an indispensable public function, that is, shaping the makers of tomorrow. The University cannot restrict speech and peaceful expression of ideas, merely because the views expressed by a group of students do not align with the ideology of the management.

11. A university is not just a place where students just attend classes and complete courses. It is also a space where students are expected to learn and inculcate independent thought processes, ability to ask questions, and engage in critical thinking. For this reason, a university must create an atmosphere where students feel free to express their views and participate in discussions on academic or public issues. Peaceful protest and non-violent dissent are a natural part of such an environment. When students express disagreement in a peaceful and orderly manner, without violence or serious disruption, such conduct cannot be treated as something outside the scope of holistic development. On the contrary, it reflects the very spirit of freedom to engage in discourse and discussions that a university is expected to encourage.

12. A university that accepts only obedience and discourages protests and criticism would fail in its broader educational role. The role of the university is not to suppress every form of dissent, but to ensure that such expression is



answered and catered to.

13. In this backdrop, in the present case the respondents contend that the petitioner was taking part in a sit-down protest and the same has been denied by the petitioner. Even assuming that the petitioner was taking part in the peaceful sit-down protest against withdrawal of arbitrary show cause notices, revocation of suspensions, restoration of timing, and expulsion of the petitioner from university for participation in a peaceful protest is a highly disproportionate disciplinary action.

14. The order impugned is also predicated on the fact that the petitioner has violated the Court order dated 15.04.2025. The punishment for violating a Court order does not lie with the respondent University but only with this Court. It is expected that the University would not suppress a peaceful protests, as long as it does not interfere in the functioning of the University and academic pursuits of the other students.

15. In the present case, there are no allegations that the so-called peaceful protest by the petitioner resulted in interfering with the functioning of the respondent University or academic pursuits of other students. The action has been taken for violation of the order dated 16.04.2025 of the respondent University which, in turn, was based on the order dated 15.04.2025 by this Court, which for the reasons stated above, is not proper.

16. Hence, I am of the view that the punishment imposed on the petitioner is highly disproportionate to her alleged actions and cannot be sustained. Hence, the petition is allowed.

17. However, the petitioner has already missed one year of her academic career and the clock cannot be turned back. Treating the said period as a punishment, it is directed that the petitioner shall be permitted to resume



studies from 3rd Semester in July, 2026.

JASMEET SINGH, J

MARCH 13, 2026/NG

(Corrected and released on 23.03.2026)