



CWP-12579-2026

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(207)

CWP-12579-2026

Date of Decision : 26.05.2026

Fatima Maqsood

...Petitioner

Versus

Indian Institute of Technology, Ropar

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Amit Kumar Goyal, Advocate (Legal Aid Counsel)
for the petitioner.

Mr. Vivek Singla, Advocate
for the respondent.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant writ petition, cast under Article 226/227 of the Constitution of India, a challenge is thrown to the resignation dated 22.11.2025 (Annexure P-2), whereby, the resignation submitted by the petitioner was accepted on same day of its submission.

2. Learned counsel for the petitioner has drawn the attention of this Court towards the email/complaint dated 21.11.2025, made by the petitioner, to the Director, IIT Ropar, wherein, she has requested to take strict action against the faculty members, for their alleged misconduct. In the said complaint, it is mentioned that the Director, IIT Ropar, has already reprimanded, and scolded the faculty members, but same has proven to be ineffective, rather the said faculty members are repeating the same behaviour.

The relevant part of the complaint is extracted hereinafter:-



“I have experienced multiple incidents of harassment from the faculty members of the Chemistry Department. The situation escalated severely when they went so far as to sent me to PGI.

I request that strict action be taken against the following faculty members involved in this matter: Dr. Mandal, Dr. Tharamani, Dr. Arun, Mr. Deepak, Ms. Gargi, Dr. Naidu, Dr. Charanjit and Dr. Reena. Additionally, I request an inquiry against my former Doctoral Committee (DC) members for conspiring against me, for which they have already been reprimanded by the Director. However, a mere scolding has proven ineffective, as they have repeated the same behaviour.”

3. Since no action was taken on such complaint, therefore, on 22.11.2025, under the compelling circumstances, the petitioner submitted her resignation, wherein, she has specifically mentioned that she is resigning due to continued misbehaviour and misconduct of faculty members, and this action has caused undue harassment to both, i.e. the petitioner and her father. The relevant extract of the application/resignation is extracted hereinafter :-

“I am officially resigning from my position due to the continued misbehavior and misconduct. Their actions have caused undue harassment to both me and my 67 year old father with no relief. Under these circumstances, I find it impossible to continue, and therefore I am compelled to resign.”

4. Surprisingly, without making any efforts to redress the grievance of the petitioner, the request of her resignation was duly recommended by the Supervisor, and endorsed by the Head of the Department, and thereafter, the competent authority accepted the resignation, on the same very day. The entire exercise was given effect to with a lightning speed on the very same day.



5. Before this Court embarks upon the issue herein, it is important to mention that the petitioner took admission in the Indian Institute of Technology (IIT), Ropar, to pursue her Ph.D. Chemistry Programme, in the year 2025. It is alleged that everything was going well till October, 2025. However, after that, the petitioner started facing harassment, at the hands of the respondent, on account of demand of research faculty. The petitioner made a complaint on 21.11.2025, regarding harassment and submitted her resignation dated 22.11.2025, by sending an email, which was accepted by the respondent/Institute, on the same very day, thereby, giving the cause of action to the petitioner to approach this Court.

6. On the last date of hearing, learned counsel for the respondent/Institute, had raised some trivial issue, that the petitioner is habitual of filing complaints against the Faculty Members, Guide and other students. On this, the petitioner, who was present in the Court, undertook to file an affidavit with the respondent/Institute, to the effect, that she will not press the complaints, which she had submitted to the respondent/Institution, and in future as well, she will not indulge in such like activities. Thereafter, the matter was adjourned for today.

7. Learned counsel for the petitioner today has placed on record an affidavit dated 25.05.2026, sworn by the petitioner, wherein, she unequivocally, and clearly has given the undertaking that she will not make any complaint by email, or otherwise, against anyone within the Institute, and will focus towards her studies only. The relevant part of the affidavit (supra), is extracted hereinafter:-

“1. That I had been a student vide entry No.2024CYZ0024 Enrolled in the Phd. Programme in Department of Chemistry at IIT, Ropar.



CWP-12579-2026

2. *That previously I had to resign earlier. Now if my resignation is revoked and I am given a chance to pursue my studies in that case I undertake not to make any complaints by email or otherwise against anyone within the Institute.*

3. *That I will focus on my studies. Revocation of my resignation may be considered sympathetically.”*

8. The affidavit duly sworn by the petitioner was submitted with the respondent/Institute. Learned counsel for the respondent/Institute, submits that despite she has given the undertaking (supra), the respondent/Institute, wishes to contest the instant writ petition on merit.

9. The first technical issue, as raised by learned counsel for the respondent/Institute, is that the order dated 22.11.2025, has not been challenged by the petitioner, as the prayer in the instant petition is made only for issuance of a *mandamus*.

10. At this stage, Mr. Amit Kumar Goyal, Advocate, who was appointed as ‘*Legal Aid Counsel*’, by this Court, vide order dated 18.05.2026, submitted that the petition is not happily drafted as per legal requirement by the earlier counsel, and has made an oral request for amendment of the head note, as well as, the prayer clause of the instant writ petition, viz. instead of writ in the nature of *mandamus*, it should be considered as a writ of *certiorari*, seeking challenge to the order dated 22.11.2025. The above request is found to be *bonafide* and innocuous, as purely a technical objection has been raised, and for this technical/clerical error, the petitioner cannot be allowed to suffer. Therefore, the head note, as well as, the prayer clause of the instant petition is amended, to the effect, that by way of instant writ petition, in addition to the prayer already made, the petitioner also seeks issuance of writ in the nature of *certiorari* for quashing of the order dated 22.11.2025.



Therefore, the Registry is directed to carry out the requisite corrections, both in the prayer clause, as well as, in the head note of the instant petition.

11. Learned counsel for the petitioner has placed reliance upon the judgment passed by the Hon'ble Supreme Court in ***Writ Petition (Civil) No.1137 of 2018***, titled '***Ms. X vs. Registrar General, High Court of Madhya Pradesh and another***' decided on 10.02.2022, to submit that in the similar circumstances, where the judicial officer has tendered her resignation, was allowed to be withdrawn after observing that the same was not voluntary. The relevant paragraph is extracted hereinafter :-

“86. It will not be out of place to mention that in some High Courts, a practice is followed, that whenever a Judicial Officer having good track record tenders his/her resignation, an attempt is made by the Senior Judges of the High Court to counsel and persuade him/her to withdraw the resignation. Valuable time and money is spent on training of a Judicial Officer. Losing a good Judicial Officer without counseling him/her and without giving him/her an opportunity to introspect and re-think, will not be in the interest of either the Judicial Officer or the Judiciary. We find that it will be in the interest of judiciary that such a practice is followed by all the High Courts.”

12. He, further placed reliance upon the judgment passed by the High Court of Judicature at Allahabad, in '***Smt. Anita Tiwari vs. State of U.P. and three others***' decided on 07.01.2025, to submit that it was held that the attending circumstances is required to be considered to ascertain, as to whether, the resignation was voluntary or not. The relevant paragraph is extracted hereinafter :-

“7. The Court has to consider as to whether contents of resignation letter dated 14.10.2020 was a resignation simplicitor or it was due to certain attending



CWP-12579-2026

circumstances and if there were attending circumstances, as to whether it would be sufficient to reconsider her application for resignation and for that as to whether an opportunity be granted to the petitioner to reconsider her resignation or not.”

13. Learned counsel for the respondent/Institute, vociferously opposed the submission made by learned counsel for the petitioner, and submits that the instant writ petition should be dismissed, on account of the prayer made therein. He further submits that the instant petition is based upon concealment of material facts, as after submitting the resignation, the petitioner subsequently took admission in CSIR, Indian Institute of Integrative Medicine, Jammu, and furthermore, they have also received an email, regarding her continuous conduct of making false complaints against faculty members and the students, studying therein (CSIR).

14. This Court has considered the above said objection, and finds that this has no relevancy, at all, with the legality of order dated 22.11.2025, which is put to challenge, before this Court, whereby, the resignation submitted by the petitioner was accepted, and most importantly, the subsequent events, even if disclosed, would not have any impact, to consider the legality of the order (supra). Therefore, this technical objection is also rejected.

15. Mr. Singla, learned counsel for the respondent/Institute, further submits that most of the complaints of the petitioner were redressed, and even the Guide of her choice was given to her, on three occasions, and therefore, there were no compelling circumstances and the resignation was completely voluntary, and once it is accepted, the same cannot be withdrawn, and also request for revocation was made, and same is pending consideration till date.



CWP-12579-2026

7

16. He further referring to a specific event, i.e., on 03.08.2025, in order to facilitate the petitioner, the Director called a meeting of members of Doctoral Committee (DC), and in the said meeting, Dr. Tharamani, took the initiative to talk with the petitioner, with regard to her mental well-being, and to assist her, including her Research Programme, to which, the petitioner agreed. However, later on, the Director received an email dated 29.09.2025, raising the concern regarding frivolous emails sent by the petitioner, and referring to the conduct of the petitioner, he submits that the respondent/Institute, has no intent to revoke her resignation.

17. No other argument was raised before this Court.

18. At this stage, this Court has put a specific query to learned counsel for the petitioner, as to whether, the petitioner has ever been served any notice, for any misconduct, to which, he fairly concedes in negative. It is not in dispute that there was no complaint against the petitioner regarding misconduct or involving in any indiscipline activities. The only grievance of the respondent/Institute, is of filing multiple complaints against faculty members and the fellow students. Even, this fact has not been denied by learned counsel for the respondent, that the respondent/Institute, neither contemplated, nor took any disciplinary action against the petitioner. In these circumstances, this Court needs to evaluate, as to whether, the resignation submitted by the petitioner was voluntary, or under the compelling circumstances, as alleged by her.

19. On 21.11.2025, she wrote a complaint, requesting to take action against certain faculty members. The said complaint was never redressed. Secondly, it is not the stand of the respondent/Institute that after conducting any inquiry, the complaint was based on false allegations. Once no cognizance



CWP-12579-2026

was taken on the complaint (supra), she, on account of consistent harassment, as alleged, has submitted a resignation. However, the contents of resignation was not simplicitor resignation, rather, perusal of the same reflects that it was submitted under the compelling circumstances. The supervisor of the respondent/Institute, instead of taking care of future of the student, on the same very day, with a lightning speed, recommended the acceptance of the resignation, which was subsequently endorsed by the Head of the Department, and finally accepted by the Registrar of the respondent/Institute, which in fact, reflects that the respondent/Institute, was in a hurry to get rid of the petitioner. The irrelevant objection raised before this Court, by learned counsel for the respondent/Institute, clearly reflects their conduct, that they still do not wish the petitioner to join back, to continue her studies, rather their attempt is only to get rid of the petitioner.

20. In these circumstances, as recorded above, this Court has no hesitation to declare that the resignation was not voluntary, rather, it was under the compelling circumstances, as explained above. Therefore, the petitioner has all right to get her such resignation withdrawn. The request of the petitioner for withdrawal of her resignation, ought to have been accepted, which was neither considered, rather kept pending for about three months, propelling the petitioner to approach this Court.

21. In view of the above, order dated 22.11.2025, accepting the resignation is hereby, **set aside**. Consequently, the instant writ petition is **allowed**. Further, a *mandamus*, is passed upon the respondent/Institute, to allow the petitioner to continue her Ph.D. Chemistry Programme/course, forthwith.

**CWP-12579-2026****9**

22. The petitioner shall adhere to the undertaking given to the respondent/Institute. In case of any violation of the undertaking, the respondent/Institute, would be at liberty to take apposite disciplinary action against the petitioner.

23. In view of the peculiar circumstances, as reflected from the conduct of the respondent/Institute, as they are hotly contesting this litigation, this Court requests the Director of the respondent/Institute, to sympathetically consider all the circumstances, and thereby, try to create an atmosphere allowing the petitioner to resettle and complete her studies.

24. Before parting with the order (supra), this Court records appreciation for Mr. Amit Kumar Goyal, Advocate, for assisting this Court, as a '*Legal Aid Counsel*' that too on a short notice.

(KULDEEP TIWARI)
JUDGE

May 26, 2026
Manpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No