**IN THE HIGH COURT OF DELHI AT NEW DELHI**CIVIL ORIGINAL (EXTRA-ORDINARY) JURISDICTION

**WRIT PETITION (CIVIL) NO. OF 20\_\_**(UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)

**IN THE MATTER OF:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_S/o\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_R/o\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **PETITIONER**  
  
**VERSUS**

1. ABC Company Ltd having its registered office at\_\_\_\_\_Through its Chairman\_\_\_\_                                                 **RESPONDENT NO. 1**
2. The Managing Director

ABC Company Ltd                                                  **RESPONDENT NO.2**

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING INTER ALIA FOR QUASHING THE IMPUGNED ORDER DATED \_\_\_\_PASSED BY RESPONDENT NO.1 AND REINSTATING THE PETITIONER IN SERVICE WITH ALL CONSEQUENTIAL BENEFITS INCLUDING BACK WAGES**  
  
To,  
The Hon'ble Chief Justice of High Court,

And His Companion Judges of the

Hon'ble High Court of Delhi.

The humble petition of the  
Petitioner above named.

**THE PETITIONER MOST RESPECTFULLY SHOWETH:**

1. That the Petitioner is filing the present writ petition under article 226 of the constitution of India praying inter alia for quashing the impugned order dated \_\_\_\_ passed by Respondent No. 1\_\_\_\_\_\_ and reinstating the petitioner in service with all consequential benefits including back wages.

2. That the petitioner is a citizen of India and is therefore entitled to enjoy all the rights guaranteed by the Constitution of India.

3. That respondent No. 1 is a company registered under the Companies Act, 2013 having its registered office at\_\_\_\_\_\_\_\_\_.

4. That respondent No. 2 is the Managing Director of the Company with powers of Appointment, termination and manage all day to day affairs of the Company.

5. The respondent-company is wholly owned by the Government of India and is, thus, an instrumentality of state is given in Article 12 of the Constitution.

6. That the petitioner was working as \_\_\_\_\_\_\_\_\_\_\_\_\_\_ with respondent-company and was appointed on \_\_\_\_\_\_\_. He has been a diligent employee and been discharging his duties and obligations according to the employment norms and applicable rules of the Respondent Company.

7. That on\_\_\_\_\_ respondent No. 2 issued the impugned order dated\_\_\_\_\_ terminating the services of the petitioner without giving an opportunity to be heard to the Petitioner. The petitioner came to be relieved of his duties on \_\_\_\_\_\_. A copy of the impugned order is annexed hereto and marked as **ANNEXURE-1**.

8. The Petitioner states that the order of the termination of the service of the Petitioner was passed without following the due process of the principle of nature justice.

9. That the Petitioner has been discharging his duty as an employee according to the Respondent Company norms and therefore has not committed any act which would constitute as misconduct.

**GROUNDS**  
10. That the present Writ Petition is being filed on the following, amongst other, grounds without prejudice to each other;

a. Because the petitioner being a permanent employee of the respondent-company his services could not be terminating without holding an enquiry under the rules applicable to the employees of the company.

b. Because the termination of the Petitioner is against the principle of natural justice as the Respondent was not given opportunity to heard.

d. Because the impugned order is arbitrary and contravenes Article 14 and Article 21 of the Constitution.

11. That the Petitioners have no other efficacious remedy except to approach this Hon'ble Court by way of this Petition under Article 226 of the Constitution of India.

12. That the Petitioners have not filed any other petition or preceding in any court or tribunal throughout the territory of India regarding the matter.  
  
  
**PRAYERS**  
In view of the facts & circumstances stated above, it is most respectfully prayed that this Hon'ble Court may be pleased to:-

a) Issue a Writ of Mandamus to the Respondent 1 with a direction for quashing the impugned order and reinstating the Petitioner in service with all consequential benefits including back wages;

b) Issue an appropriate Writ Directing the Respondents to pay Cost to the Petitioner;

c) Any other relief, order or direction this court may deem fit and proper under the facts and circumstances of this case.  
  
**AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY.**

**FILED BY:  
  
  
(\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)  
ADVOCATE FOR THE PETITIONER**

DRAWN ON:  
Drawn by:

New Delhi  
Date: