**Writ Petition format**

 **file Writ under Article 226 and 227 to challenge order passed by Central Administrative Tribunal against OA of Petitioner.**

SYNOPSIS

1. That the present Writ Petition under Article 226 read with 227 of the Constitution of India is against the order dated \_\_\_\_\_\_\_\_\_\_\_\_\_ passed by the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi, (hereinafter referred as 'Hon'ble Tribunal') in OA No. \_\_\_ of 20\_\_ vide which the Hon'ble Tribunal has disposed of the OA on the basis of an interim order passed by this Hon'ble Court on \_\_\_\_ in Writ Petition (C) No. \_\_\_ of \_\_\_ titled \_\_\_\_\_ & Ors \_\_\_\_\_ & Ors.

2. That in the said Petition it was wrongly mentioned that Mr. \_\_\_\_\_\_\_\_\_\_\_\_\_\_, one of the Batch mates of the Petitioner, has done \_\_\_ course. In fact he has done \_\_\_\_\_\_\_ Course (the same course done by the Petitioner) from \_\_\_\_\_ and his candidature for the post of Primary teacher in MCD was rejected with a remark 'overage' without giving age relaxation as per the direction of this Hon'ble Court in Sachin Gupta and Ors Vs. Delhi Subordinate Services Selection Board, Writ Petition.

3. That the Hon'ble Tribunal while disposing of the OA failed to consider the fact that the above said Writ Petition was filed by concealing the fact that disputes regarding educational qualification was already settled by this Hon'ble Court vide order dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in. The copy of the said order was in the file of the Hon'ble Tribunal, but without considering it and on the basis of wrong statement given by the respondents that Mr. \_\_\_\_\_\_\_\_\_\_\_\_ had done \_\_\_\_ course, the Hon'ble tribunal disposed of the Original Application filed by the Petitioner.

4. The Hon'ble Tribunal also failed the appreciate that Writ Petition No. \_\_\_\_\_\_\_\_ of 20\_\_\_ is barred by Res Judicata as all the disputes regarding educational qualification i.e. ETE, Diploma in Education and equivalent courses had been settled by this Hon'ble Court in \_\_\_\_\_\_ (supra) which was attained finality after the Hon'ble Supreme Court allowed the Review Petition filed by Mr. \_\_\_\_\_.

5. Brief facts about the case are that pursuant to the Advertisement No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ of Delhi Subordinate Services Selection Board (DSSSB), the petitioner had applied for the post of Primary Teacher in Municipal Corporation of Delhi (MCD) (Post Code \_\_\_\_) under OBC Category and appeared for Written Examination held on \_\_\_\_\_\_\_\_\_\_\_\_\_. She had secured \_\_\_\_\_ marks but her candidature was not considered for the said Post and her name was displayed in the rejection list published on \_\_\_\_\_\_\_\_ with a remark of "overage".

LIST OF DATES AND EVENTS

18.03.\_\_ Maximum age limit for appointment to the post of Assistant Teacher \_\_\_ were \_\_ years for male and \_\_ Years for Female.

08.05.\_\_\_ Respondent No. 1 issued a notification and amended Recruitment rules for appointment to the post of Assistant Teachers in NCT of Delhi and MCD and prescribed the maximum age limit as 27 years for male as well as females.

07.11.20\_\_ Respondent No. 2 issued advertisement No. \_\_\_\_\_ for the post Teacher (primary) in MCD under the Post Code \_\_\_\_. The Petitioners applied.

20.07.20\_\_ The Ld Tribunal directed the Respondent to herein finalise the amendments in the RRs by applying classification of the post of enhancement of the age.

02.02.20\_\_ The Petitioner appeared in the examination.

08.07.\_\_ Result of the said written Test was published and the Petitioner had secured \_\_ marks (Cut off \_\_).

05.12.20\_\_ Government issued an office order No. \_\_\_ in which the Petitioner's name was shown not eligible on the ground of "overage".

10.12.20\_\_ Petitioner made representation to the authority appraising the fact that the Petitioner is fully entitled to get age relaxation as per Hon'ble Delhi High Court Judgment in \_\_\_\_\_\_.

July 20\_\_ Petitioner filed O A No. \_\_ of 20\_\_ with the Hon'ble Tribunal, being aggrieved by the office order No. \_\_\_and Rejection Notice dated \_\_\_ and challenged the order to an extent she is affected on the ground of "overage".

03.10.20\_\_ The Hon'ble Tribunal disposed of OA No. \_\_\_\_ of 20\_\_ with a liberty to the applicant to seek re-consideration of the O.A after the disposal of the Writ Petition (C) No. \_\_\_ of 20\_\_ by this Hon'ble Court.

 Hence the Present Petition

IN THE HIGH COURT OF AT

WRIT PETITION NO\_\_\_\_\_ OF 20\_\_

IN THE MATTER OF:
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_                                     .......    PETITIONER

VERSUS

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ & ORS                         .......    RESPONDENTS

TO,
THE HON'BLE CHIEF JUSTICE AND HIS COMPANION JUDGES OF THE HON'BLE HIGH COURT OF DELHI.

THE PETITIONERS ABOVE NAMED

WRIT PETITION UNDER ARTICLE 226 READ WITH 227 OF THE CONSTITUTION OF INDIA AGAINST THE JUDGMENT AND ORDER DATED \_\_\_\_\_\_\_ PASSED BY THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL IN OA NO. \_\_\_ OF \_\_.

MOST RESPECTFULLY SHOWETH:
1. That the present Writ Petition under Article 226 read with 227 of the Constitution of India is against the order dated \_\_\_\_\_\_\_\_\_\_\_\_\_ passed by the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi, (hereinafter referred as 'Hon'ble Tribunal') in OA No. \_\_\_ of 20\_\_ vide which the Hon'ble Tribunal has disposed of the OA on the basis of an interim order passed by this Hon'ble Court on \_\_\_\_ in Writ Petition (C) No. \_\_\_ of \_\_\_ titled \_\_\_\_\_ & Ors \_\_\_\_\_ & Ors. A copy of the order dated 03.10.20\_\_ passed by the Hon'ble Central Administrative Tribunal in O.A. No. \_\_\_ of 20\_\_ is annexed and marked as Annexure P-1 (Pages \_\_\_\_\_\_\_\_\_).

FACTS LEADING TO FILING OF THE PRESENT PETITION

2. Brief facts necessary for deciding the Present petition are as follows:

(i) That Petitioner has done \_\_\_\_\_\_\_\_\_\_\_\_\_ in the year \_\_\_\_\_from \_\_\_\_\_\_.

(ii) That pursuant to the Advertisement No. \_\_\_ of 20\_\_ of DSSSB the Petitioner had applied for the Post of Primary Teacher in \_\_\_\_, Post Code \_\_\_ and participated in the selection process, Roll No. \_\_\_\_. She got \_\_\_ Marks. Despite the applicant having secured more marks than the cut-off marks (\_\_) for OBC category, she has not been considered for appointment on the ground of being 'overage'. In the rejection order No. \_\_ dated 05.12.20\_\_, the applicants name figures at Sr. No. \_\_.

(iii) The Petitioner had challenged the impugned rejection order No. \_\_ dated \_\_\_\_ in the Central Administrative Tribunal by way of O.A. No.

A copy of entire CAT Record of O.A. No. \_\_\_/\_\_\_ filed by Petitioner with the Central Administrative Tribunal is annexed herewith and attached as Annexure P-3 (Pages \_\_\_\_\_\_\_\_\_).

(iv) Pursuant to the notices issued, the respondents entered appearance and filed replies, to which the Petitioner has filed separate rejoinders.

(v) That after hearing these submission of the Respondents, the Hon'ble Central Administrative Tribunal on 03.10.20\_\_, disposed of the OA filed by the Petitioner with the following observations/Directions:

(vi) That the Hon'ble Tribunal did not try to verify the facts from the records which show that \_\_\_\_\_\_\_\_\_\_\_had done Diploma in Education from Bhopal which is the same qualification of Petitioner.

(vii) That since the dispute regarding equivalence of educational qualification was already settled; the Hon'ble Supreme Court in the Judgment used the word "\_\_" just to represent the educational qualification.

(viii) That the Respondents have wrongly twisted the facts in such a way that Mr. \_\_\_\_\_\_\_\_\_ had done \_\_\_\_ course not Diploma in Education from Bhopal, hence his Review Petition was allowed.

3. GROUNDS:

A. Because the Hon'ble Tribunal failed to appreciate that a Division Bench of this Hon'ble court by its Judgment dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_ v. \_\_\_\_\_\_\_\_\_\_\_, held that a candidate who had completed ETE course from Delhi is to be given age relaxation as per the decision in \_\_\_\_\_\_\_\_\_\_, the same age relaxation should be provided to the persons who are identically placed in terms of educational qualifications.

B. Because the Hon'ble Tribunal failed to appreciate that the Petitioners in Writ Petition (C) No. \_\_\_\_ of 20\_\_ have concealed the fact

C. Because the Hon'ble Tribunal did not consider all these facts while disposing of O.A No. \_\_\_\_ of 20\_\_ which resulted violation of rights guaranteed to the Petitioners under Article 14 and 16 of the Constitution of India.

4. That the petitioners submit that no other petition against the impugned order has been filed by the petitioner.

5. That the petitioners do not have no other efficacious alternative remedy than to file the present writ petition.

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 an appropriate Writ quashing the impugned order dated 03.10.20\_\_ passed by the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi, in Original Application No. \_\_\_ of 20\_\_.

b) Any other relief, order or direction this court may deem fit and proper under the facts and circumstances of this case.

THROUGH;

COUNSEL FOR THE PETITIONERS

New Delhi

Dated: \_\_.\_\_.20\_\_

**Writ Petition to High Court under Article 226 of Constitution of India seeking appropriate Writ for Fundamental Right,**

filed in High Court for direction against violation of fundamental right.

You file Writ Petition under Article 226 of the Constitution when your fundamental rights are affected. While filing the Writ Petition, necessary copies of documents needs to be annexed. Format of Writ Petition seeking direction from the High Court against the Government authority is given below. It can be downloaded in MS Word format also, so that you can prepare it on the basis of draft Writ Petition. There are five writ petition types in the Indian constitution, which you can file either before the High Court such as:

1. Habeas Corpus

2. Mandamus

3. Prohibition

4. Certiorari

5. Quo Warranto

SYNOPSIS

1. The Petitioners are filing the present Writ Petition under Article 226 of the Constitution of India Praying inter alia for issuing Writ of Mandamus and other appropriate Writ for directing the Respondent No. 1 to Release Respondent No. 4 from the premises of Respondent No. 5, seeking direction to Respondent No. 1 inquire into the incident of keeping Respondent No.4 in confinement by Respondent No. 5 in an illegal building without basic amenities and in un healthy conditions, conduct proper medical tests on Respondent No. 4 and also seeking Direction to Respondent No. 4 to take care of ailing Petitioners at their old age and provide maintenance to them under Section 4 of Maintenance of Parents and Senior Citizens Act 2007.

2. That the petitioners are Senior Citizens aged \_\_ and \_\_ years and Parents of Respondent No.4, \_\_\_\_\_\_\_\_\_\_\_\_\_, who has been staying in the Premises of Respondent No. 5 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ since July 20\_\_. The Petitioners being senior citizens need the support of Respondent No. 4 to take care of their health, necessities etc.

3. That the Petitioners have strong doubts on the Respondent No. 5 kept their Respondent No. 4 under the influence of drugs or any other substance.

4. That Respondent No. 4 is an Engineer and was earning Rs. 24 Lakh a year and when she joined Respondent No.5. The Petitioners have strong doubt that Respondent No. 5 has trapped her for the sake of bank deposit.

5. That the Respondent No. 4 categorically told on \_\_\_\_\_\_ through phone that she is not interested to talk to the Petitioners as they are not left hope on her and continuously raising the issue in Court, government authorities, Media and Police stations.

6. That as per Section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, the Children are obliged to maintain a senior citizen to the needs of such citizen so that senior citizen may lead a normal life.

7. That as per Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 the Application for maintenance should be filed in Tribunal, but due to the Peculiar situation in this matter, as the Respondent No. 4 is confined in the Ashram of Respondent No.5, the Petitioners are approaching this Hon'ble Court for Justice.

LIST OF DATES AND EVENTS

2016 Respondent No.4 stayed and studied Masters in Commerce. She started working for an approximate salary package of Rs. 24 lakhs a year.
July 2016 Respondent No.4 came back to India and started staying in without intimating her parents.

2016-19 Petitioner No.2 made several complaints to Police and government authorities for return of their daughter. But there was no action on the part of the authorities.

15.1.20\_\_ Respondent No.4 categorically told to the Petitioners on Mobile phone that she is not willing to meet or talk to them as they are continuously maligning the Respondents No. 5 by making complaints to Police and approaching Media. She has told to the Petitioners that since this Hon'ble court expressed helplessness in the pending PIL, nothing will happen to the Respondents No. 5.

\_\_.02.20\_\_ Hence the instant Writ Petition

IN THE HIGH COURT OF DELHI AT NEW DELHI

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. OF 2020

IN THE MATTER OF:

A B C                     ... PETITIONERS

VERSUS

XYZ                     ... RESPONDENTS

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING INTER ALIA FOR ISSUING WRIT OF MANDAMUS AND OTHER APPROPRIATE WRIT FOR DIRECTING THE RESPONDENT NO. 1 TO RELEASE RESPONDENT NO. 4 FROM THE PREMISES OF RESPONDENT NO. 5, SEEKING DIRECTION TO RESPONDENT NO. 1 INQUIRE INTO THE INCIDENT OF KEEPING RESPONDENT NO.4 IN CONFINEMENT BY RESPONDENT NO. 5 IN AN ILLEGAL BUILDING WITHOUT BASIC AMENITIES AND IN UN HEALTHY CONDITIONS, CONDUCT PROPER MEDICAL TESTS ON RESPONDENT NO. 4 AND ALSO SEEKING DIRECTION TO RESPONDENT NO. 4 TO TAKE CARE OF AILING PETITIONERS AT THEIR OLD AGE AND PROVIDE MAINTENANCE TO THEM UNDER SECTION 4 OF MAINTENANCE OF PARENTS AND SENIOR CITIZENS ACT 2007.

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.

MOST RESPECTFULLY SHOWETH:

1. The Petitioners are filing the present Writ Petition under Article 226 of the Constitution of India Praying inter alia for issuing Writ of Mandamus and other appropriate Writ for directing the Respondent No. 1 to Release Respondent No. 4 from the premises of Respondent No. 5, seeking direction to Respondent No. 1 inquire into the incident of keeping Respondent No.4 in confinement by Respondent No. 5 in an illegal building without basic amenities and in un healthy conditions, conduct proper medical tests on Respondent No. 4 and also seeking Direction to Respondent No. 4 to take care of ailing Petitioners at their old age and provide maintenance to them under Section 4 of Maintenance of Parents and Senior Citizens Act 2007.

2. That Petitioner No. 1 is \_\_ years old mother of Respondent No.4 and is a House wife.

3. That Petitioner No. 2 is father of Respondent No. 4 and he is \_\_ years old.

4. That Respondent No. 4, is the daughter of Petitioner No. 1 and 2.

5. That the Petitioners being retired senior citizens need the support of their daughter as they do not have sons, no other person, to take care of their health, necessities etc. Petitioner No. 1 is suffering from various ailments like joints pain on legs, tooth pain which require root canal treatment and other old age problems. Petitioner No.2 is facing high blood pressure, heart related health issues and he requires regular medical check-up. The Petitioners are running pillar to post to get their constitutional rights. They have approached Delhi Police and Central Government to handover their daughter to them, but no action has been taken by the authorities against the Respondent No. 5, to release their daughter.

6. That the Petitioners have strong doubts on Respondent No. 5, that his team kept their daughter under the influence of drugs or any other substance.

7. It is submitted that the Petitioners have only one daughter Respondent No. 4 is living in the premises of Respondent No. 5 in Delhi, India and she deserted her senior citizen parents at their old age.

8. That as per Section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 the Children are obliged to maintain a senior citizen to the needs of such citizen so that senior citizen may lead a normal life. Extracts of Section 4 of the Act is as under:

"4. Maintenance of parents and senior citizens.-(1) A senior citizen including parent who is unable to maintain himself from his own earning or out of the property owned by him, shall be entitled to make an application under section 5 in case of-

(i) parent or grand-parent, against one or more of his children not being a minor;

(ii) a childless senior citizen, against such of his relative referred to in clause (g) of section 2.

(2) The obligation of the children or relative, as the case may be, to maintain a senior citizen extends to the needs of such citizen so that senior citizen may lead a normal life.

(3) The obligation of the children to maintain his or her parent extends to the needs of such parent either father or mother or both, as the case may be, so that such parent may lead a normal life.

(4) Any person being a relative of a senior citizen and having sufficient means shall maintain such senior citizen provided he is in possession of the property of such citizen or he would inherit the property of such senior citizen:

Provided that where more than one relatives are entitled to inherit the property of a senior citizen, the maintenance shall be payable by such relative in the proportion in which they would inherit his property."

True copy of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is annexed herewith and marked as Annexure P-1.

9. That as per Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 the Application for maintenance should be file in Tribunal, but due to the Peculiar circumstances in this matter as the Respondent No.4 is confined in the Building of Respondent No. 5 the Petitioners are approaching this Hon'ble Court for Justice.

10. That on April \_\_\_\_ the Petitioners filed complaint with Station House Officer, Police Station \_\_\_\_\_\_\_\_\_\_\_ New Delhi requesting appropriate action in securing their daughter safely from the centre. Copy of the letter dated April 1, 2016 sent by the Petitioners to SHO, \_\_\_\_\_\_\_\_\_\_\_ Police Station is annexed herewith and marked as Annexure P-2.

11. That on April \_\_\_\_\_the Petitioners wrote to the Delhi Commission for women, ITO, New Delhi requesting them to take appropriate action in securing their daughter safely from the centre and help in restoring peace to the family on humanitarian ground. Copy of the letter dated April \_\_\_\_ sent by the Petitioner to Delhi Commission for Women is annexed herewith and marked as Annexure P-3.

12. That Respondent No. 3 not yet arrested Respondent No. 5 against whom several serious criminal cases are registered by CBI. The Financial transactions of Respondent No. 5 are also needs to be verified by a competent authority. Because even after the hiding of founder of the Respondent No. 5, it has been running un interruptedly in an illegal/un authorised building and getting all kind of financial, strategic support.

13. That being aggrieved, the Petitioner has no other alternative remedy but to approach this Hon'ble Court and invoke Article 226 of the Constitution of India on the following amongst other grounds which are urged hereinafter without prejudice to each other.

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

A. Because the Petitioners being retired/ senior citizens need the support of their daughter as they do not have sons and no other person to take care of their health, necessities etc. The Petitioners are running pillar to post to get their constitutional rights. They have approached Delhi Police and Central Government to handover their daughter to them, but no action has been taken by the authorities against Respondent No. 5 to release their daughter.

B. Because the Petitioners have strong doubts on Respondent No. 5 kept their daughter under the influence of drugs or any other substance.

C. Because the Petitioners have only one daughter, Respondent No. 4 is living in the Ashram and she deserted her senior citizen parents. The Petitioners have no other close relatives to look after them.

D. Because as per Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 the Application for maintenance should be file in Tribunal, but due to the Peculiar situation in this matter as the Respondent No. 4 is confined in the Ashram of Respondent No. 6 the Petitioners are approaching this Hon'ble Court for Justice.

14. 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.

15. That the Petitioners have not filed any other petition, claim, suit or preceding in any court or tribunal throughout the territory of India regarding the matter in dispute.

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 or any other appropriate Writ to Respondent No. 1 to immediately release of Respondent No. 4, daughter of Petitioners from the custody of Respondent No. 5;

b) Issue an appropriate Writ to the Respondent No. 4 to take care of her ailing parents, give maintenance to them as per Section 4 of Maintenance of Parents and Senior Citizens Act 2007;

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 PETITIONER AS DUTY BOUND SHALL EVERY PRAY.

THROUGH

ADVOCATES FOR THE PETITIONERS

**Writ Petition of Habeas Corpus to High Court under Article 226 of Constitution to release a person, Quash order and pay compensation.**

The word habeas corpus literally means to have a body. A writ of habeas corpus is in the nature of an order upon the person who has detained another to produce the latter before the court, in order to let the court know on what ground he has been confined and set him free if there is no legal justification for the imprisonment.

Sample format of Writ of Habeas Corpus to High Court is given below. This is only body of the Writ Petition. Please include other details also:

IN THE HIGH COURT OF DELHI AT NEW DELHI

CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRIMINAL) NO. OF 2020

(UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)

IN THE MATTER OF:

\_\_\_\_\_\_ S/O \_\_\_\_\_\_\_\_\_\_\_

AGED ABOUT \_\_\_\_ YEARS

RESIDENT OF \_\_\_\_\_\_\_\_\_\_

THROUGH \_\_\_\_ S/O \_\_\_, AGED

 \_\_\_\_\_
YEAR AS NEXT FRIEND                                                        PETITIONER

VERSUS

1. STATE GOVERNMENT
HOME DEPARTMENT
DELHI                                                                            RESPONDENT NO. 1

2. DISTRICT MAGISTRATE
TEES HAZARI COURT
NEW DELHI                                                                     RESPONDENT NO. 2

3. SUPERINTENDENT
TIHAR JAIL
NEW DELHI                                                                     RESPONDENT NO. 3

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING INTER ALIA FOR ISSUING WRIT OF HABEAS CORPUS TO RESPONDENT NO. 1, 2 AND 3 THEREBY QUASHING THE IMPUGNED ORDER AND DIRECTING THE RELEASE OF THE PETITIONER AND GRANTING REASONABLE COMPENSATION TO THE PETITIONER

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.

1. That the Petitioner is filing the present writ petition under article 226 of the constitution of India praying inter alia for issuing writ of habeas corpus to respondent no. 1, 2 and 3 thereby quashing the impugned order and directing the release of the petitioner and granting reasonable compensation to the petitioner.

2. That the petitioner resides in \_\_\_\_\_\_\_\_\_ and has been a law abiding citizen of India.

3. That on \_\_\_day of\_\_\_\_, the Petitioner was arrested and detained for a period of 2 months in the Tihar Jail, New Delhi, wherein the Respondent No. 3 is the Superintendent, with an order passed by the Respondent No.1 dated \_\_\_under the National Security Act, 1980. A copy of the order by the Respondent No. 1 has been annexed herewith as Annexure 1.

4. That, on the date of getting detained and arrested in the Tihar Jail. The Petitioner was not informed about the grounds of his detention by Respondent No. 3.

5. That after Ten days of getting arrested and detained, the Petitioner was informed of his ground of arrest and detention.

6. The report of the ground of detention was furnished to the Petitioner in English, which is not understood by the Petitioner.

7. The Petitioner's father is interested in the release of the Petitioner from the detention.

8. 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.

9. That the Petitioners have not filed any other petition or preceding in any court or tribunal throughout the territory of India regarding the matter.

10. Therefore, the order by Respondent No. 1 dated\_\_\_\_\_\_, is illegal, arbitrary and with lack of jurisdiction because of the following grounds given below:-

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

a. Because the grounds of detention were furnished to the Petitioner after prolonged delay.

b. Because the Petitioner's detention is violative of Article 21 of the Indian Constitution.

c. Because the grounds of detention of the Petitioner was given in English, which is not comprehensible for the Petitioner.

d. Because he grounds of detention is very arbitrary and vague.

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 Habeas Corpus to the Respondent 1 to 3 thereby quashing the impugned order;

b) Issue an appropriate Writ Directing release of the Petitioner;

c) Issue appropriate Writ granting reasonable compensation to the Petitioner;

d) 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:

OTHER INFORMATION, DOCUMENTS TO BE INCLUDED WITH WRIT PETITION

1. Notice of motion

2. Urgent application

3. Court fee

4. Certificate

5. Synopsis & list of dates

6. Memo of parties

7. Annexure to the Petition

8. Application for exemption from filing certified copies, dim and small font annexures with affidavit.

9. Vakalatnama on behalf of the petitioner.

Writ Petition of Mandamus to High Court under Article 226 of Constitution to quash termination order, Reinstate Petitioner and pay back wages.

Format of Writ Petition seeking mandamus to the High Court under Article 226 of the Constitution.  Download Format.

A writ of mandamus is a direction to an authority to either do or refrain from doing a particular act. For instance, a writ to the Police Department to to strictly enforce Traffic Rules under the Acts. For a mandamus to be issued, it must be shown:

a) That the authority was under obligation, statutory or otherwise to act in a particular manner;

b) that the said authority failed in performing such obligation;

c) that such failure has resulted in some specific violation of a fundamental right of either the petitioner or an indeterminate class of persons.

Sample and brief format of Writ of Mandamus to High Court is given below. This is only body of the Writ Petition. Please include other details also:

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:
1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
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:

OTHER DOCUMENTS TO BE INCLUDED WITH WRIT PETITION OF MANDAMUS

1. Notice of motion

2. Urgent application

3. Court fee

4. Certificate

5. Synopsis & list of dates

6. Memo of parties

7. Annexure to the Petition

8. Application for exemption from filing certified copies, dim and small font Annexure with affidavit.

9. Vakalatnama on behalf of the petitioner.

Writ Petition seeking Writ of Prohibition from High Court under Article 226 of Constitution to prohibit Respondents from proceeding with disciplinary action.

Format of Writ Petition seeking Writ of Prohibition from the High Court under Article 226 of the Constitution.  Download Format.

A writ of prohibition issues to prevent a judicial authority subordinate to the High Court from exercising jurisdiction over a matter pending before it. This could be on the ground that the authority lacks jurisdiction and further that prejudice would be caused if the authority proceeds to decide the matter. Where the authority is found to be biased and refuses to rescue, a writ of prohibition may issue.

Sample format of Writ of Prohibition to High Court is given below. This is only body of the Writ Petition. Please include other details also:

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:

1. Mr. \_\_\_\_\_\_\_\_\_\_\_\_ son of \_\_\_\_\_\_\_\_\_
Resident of \_\_\_\_\_\_\_\_\_                                                     PETITIONER

VERSUS

1. \_\_\_\_\_ Company Ltd
New Delhi                                                                     RESPONDENT NO. 1

2. Manager Accounts
Accounts Department
\_\_\_\_Company Ltd
New Delhi                                                                     RESPONDENT NO. 2

3. The Chief Executive Officer
\_\_\_\_\_ Company Ltd
New Delhi                                                                     RESPONDENT NO. 3

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING FOR DIRECTION OR ORDER IN THE NATURE OF PROHIBITION TO THE RESPONDENTS, PROHIBITING THEM FROM PROCEEDING FURTHER WITH THE DISCIPLINARY PROCEEDING ON THE BASIS OF THE ENQUIRY REPORT OF RESPONDENT NO. 2.

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 for direction or order in the nature of prohibition to the respondents , prohibiting them from proceeding further with the disciplinary proceeding on the basis of the enquiry report of respondent No. 2.

2. That, the Petitioner was appointed as the Accounts Executive of Respondent No.1, a Government Company, having its registered office at \_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_.

3. That Respondent No. 1 Company is discharging public functions and financed by the State of \_\_\_\_\_\_\_\_\_, and is a "State" under Article 12 of the Indian Constitution. Therefore, this petition against the Company is amenable before this Honbl'e Court.

4. The Petitioner has served the Company as Accountant for the period of 2 years before being promoted as the Accounts Executive. The Petitioner has been a diligent employee of the Company since the date of his appointment.

5. That, on \_\_\_\_\_, while serving as Accounts Executive, he was served with a disciplinary notice stating his inefficiency in performance. Copy of the disciplinary Notice is Annexed herewith and Attached as Annexure P1.

6. The enquiry into the said charges was made by the Accounts Manager of the Company. On the basis of the report of Respondent No. 2 which was send to the Respondent 3 a show cause notice dated \_\_\_\_\_\_\_\_\_ was sent to the Petitioner, stating why he should not be dismissed from service. A copy of the said show cause notice is Annexed herewith and attached as Annexure-P2.

7. That according to the Company Rules, the enquiry into the disciplinary charges is to be only made by the third party enquiry officer. The enquiry was made by a person not duly authorized to do so, i.e. Respondent No.2.

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

i. Because the procedure adopted by the Company in initiating disciplinary proceedings is against the Company's rules i.e. Rule \_\_\_\_\_and regulations.

ii. Because the enquiry report of the Respondent No. 2 is not valid as he is the Reporting Manager of the Petitioner. The Petitioner had filed Complaint to the Management of the Company against Respondent No. 2 on \_\_\_\_\_\_ with corruption allegation and siphoning of funds. So Respondent No. 2 has personal enmity to the Petitioner due to reporting of his corruption case to the management.

iii. Because the Respondent No. 2 does not have the jurisdiction to prepare an enquiry report as per the Company's Rules and Regulations.

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 in the nature of Prohibition to the Respondents Prohibiting them from proceeding further with the disciplinary proceeding on the basis of the enquiry report of Respondent No.2;

b) 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:

OTHER INFORMATION, DOCUMENTS TO BE ATTACHED WITH WRIT PETITION

1. Notice of motion

2. Urgent application

3. Court fee

4. Certificate

5. Synopsis & list of dates

6. Memo of parties

7. Annexure to the Petition

8. Application for exemption from filing certified copies, dim and small font annexures with affidavit.

9. Vakalatnama on behalf of the petitioner.

Writ Petition seeking Writ of Certiorari in High Court under Article 226 of Constitution to quash order of an order.

Format of Writ Petition seeking Writ of Certiorari in the High Court under Article 226 of the Constitution.  Download Format.

A writ of certiorari is a direction to an authority to produce before the Court the records on the basis of which a decision under challenge in the writ petition has been taken. By looking into those records, the Court will examine whether the authority applied its mind to the relevant materials before it took the decision. If the Court finds that no reasonable person could come to the decision in question, it will set aside (quash) that decision and give a further direction to the authority to consider the matter afresh.

Sample format of Writ of Certiorari to High Court is given below. This is only body of the Writ Petition. Please include other details also:

IN THE HIGH COURT OF DELHI AT NEW DELHI
CIVIL ORIGINAL JURISDICTION

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

IN THE MATTER OF:

1. Mr. \_\_\_\_\_\_\_\_\_\_\_\_ son of \_\_\_\_\_\_\_\_\_
Resident of \_\_\_\_\_\_\_\_\_                                                     PETITIONER

VERSUS

1. State of \_\_\_\_\_
Pollution Department                                                      RESPONDENT NO. 1
Through its Secretary

2. South Delhi Municipal Commissioner
New Delhi                                                                     RESPONDENT NO. 2

3. Pollution Control Department
New Delhi                                                                     RESPONDENT NO. 3

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING FOR DIRECTION OR ORDER IN THE NATURE OF CERTIORARI TO THE RESPONDENTS AND QUASH ORDER DATED\_\_\_ PASSED BY THE RESPONDENT NO. 3.

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 for direction or order in the nature of Certiorari to the respondents and quash order dated \_\_\_\_\_\_ passed by respondent No. 3.

2. That, the Petitioner is a Law abiding Citizen of India and residing the above address.

3. That the Petitioner runs a Coffee Shop in the name and style of Sit and enjoy at \_\_\_\_\_\_, New Delhi.

4. The Petitioner has obtained all necessary licenses and permission from the State and local authorities according to the applicable laws of India for conducting his business.

5. That Petitioner held a \_\_\_\_\_\_ License No. \_\_\_\_\_\_dated\_\_\_\_, and has been carrying on this business for the last ten years and has gained a good reputation for his service in India. A copy of the \_\_\_\_ License has been annexed hereunder as ANNEXURE P1.

6. The Petitioner on \_\_\_\_\_ received a notice from the Respondent No. 3 to show cause and give explanation that why should not his license be revoked for polluting the environment through effluents from Coffee House. The notice also required the Petitioner to produce the license before the Respondent No. 3. A copy of the notice has been annexed hereunder as ANNEXURE P2.

7. The Petitioner pursuant to the notice dated\_\_\_\_, submitted his explanation, wherein he stated that he did not pollute the environment from running the coffee shop and effluents from coffee shop is very limited and directly processing it.

8. Thereafter, the Respondent No.3, cancelled the \_\_\_\_\_\_\_\_ license of the Petitioner without giving proper consideration to the submission of the Petitioner by order dated \_\_\_.

8. The Petitioner aggrieved by the impugned order of the Respondent has approach this Hon'ble Court.

9. The Petitioner submits that the order dated \_\_\_\_\_\_by Respondent No. 3 are arbitrary and void amongst other.

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

A. Because Respondent No. 3 have issued cancellation order in violation of the principle of natural justice.

B. Because Respondent No. 3 have not applied their minds to the facts of the case.

C. Because order dated\_\_\_\_ by issued by Respondent No. 3 is in violation of Article 19(1)(g) of the Indian Constitution.

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 in the nature of Certiorari to the Respondents and quash order dated \_\_\_\_ passed by Respondent No.3;

b) 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:

OTHER DOCUMENTS TO BE ATTACHED WITH WRIT OF CERTIORARI PETITION

1. Notice of motion

2. Urgent application

3. Court fee

4. Certificate

5. Synopsis & list of dates

6. Memo of parties

7. Annexure to the Petition including impugned order and relevant other orders

8. Application for exemption from filing certified copies, dim and small font annexures with affidavit.

9. Vakalatnama on behalf of the petitioner.

Writ Petition seeking Writ of Quo Warranto in High Court under Article 226 of Constitution to cancel illegal appointment order and remove person illegally appointed.

Format of Writ Petition seeking Writ of Quo Warranto in the High Court under Article 226 of the Constitution.  Download Format.

A petition seeking a writ of quo warranto questions the legal basis and authority of a person appointed to public office. For instance, the appointment of a member of a Railway Board not qualified to hold the post can be questioned by a writ of quo Warranto and appointment nullified if found to be illegal.

A writ of declaration issues to declare an executive, legislative or quasi- judicial act to be invalid in law. A petition seeking such declaratory relief must also necessarily seek certain consequential relief. For instance, immediate discontinuance of the illegal practice and appropriate remedial compensation.

Sample format of Writ of Quo Warranto to High Court is given below. This is only body of the Writ Petition. Please include other details also:

IN THE HIGH COURT OF DELHI AT NEW DELHI
CIVIL ORIGINAL JURISDICTION

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

IN THE MATTER OF:

1. Mr. \_\_\_\_\_\_\_\_\_\_\_\_ son of \_\_\_\_\_\_\_\_\_
Resident of \_\_\_\_\_\_\_\_\_                                                     PETITIONER

VERSUS

1. \_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_ College

New Delhi
Through its Principal                                                              RESPONDENT NO. 1

2. The Chairman

University Grant Commission

New Delhi                                                                             RESPONDENT NO. 2

3. Mr. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Assistant Professor

\_\_\_\_\_\_\_\_\_\_\_ College                                                           RESPONDENT NO. 3
New Delhi

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING FOR DIRECTION OR ORDER IN THE NATURE OF QUO WARRANTO TO THE RESPONDENTS AND REMOVE RESPONDENT NO. 3 FROM THE POST OF ASSISTANT PROCESSOR.

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 for direction or order in the nature of Quo Warranto to the respondents and remove Respondent No. 3 from Assistant Professor Post.

2. That, the Petitioner is a Law abiding Citizen of India and residing the above address.

3. That the Petitioner has approached this Hon'ble Court seeking issuance of a writ in nature of a Quo Warranto against Respondent No. 3, questioning his appointment and for his consequent removal from the post of the Assistant Professor.

4. That, on\_\_\_\_\_\_\_\_\_\_, the Respondent No. 3 has been appointed as Assistant Professor with \_\_\_\_\_\_\_\_\_\_\_\_\_ College. Copy of Appointment letter is attached herewith and marked as Annexure P1.

5. That Respondent No. 3 has not qualified NET examination and not eligible to appoint as Assistant Professor as per the UGC Regulations to appoint as Assistant Professor. His appointment is in violation of Section \_\_\_\_ of UGC Act and UGC Notification Dated \_\_\_\_\_\_. Copy of relevant sections of UGC Act and UGC Notification dated \_\_\_\_\_ is attached herewith and marked as Annexure P2.

6. The Petitioner aggrieved by the impugned Appointment order of the Respondent No. 1 has approach this Hon'ble Court.

9. The Petitioner submits that the order dated \_\_\_\_\_\_by Respondent No. 1 is in Violation of UGC Act and UGC Notification regarding qualification of teachers to be appointed in colleges.

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

A. Because the appointment order dated \_\_\_\_\_\_ is in violation of UGC Act.

B. Because Respondent No. 3 has not cleared National Education Test examination, hence he is not eligible to be appointed as Assistant Professor in a Government College under UGC.

C. Because UGC Notification dated\_\_\_\_ clearly states that a Person qualified NET examination only can be appointed as Assistant professor in a College.

D. Because the appointment is illegal and unsustainable in law as the eligibility conditions are totally ignored / violated.

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 in the nature of Quo Warranto to the Respondents to remove Respondent No. 3 from the Post of Assistant professor;

b) 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:

DOCUMENTS TO BE ATTACHED WITH WRIT  PETITION OF QUO WARRANTO

1. Notice of motion

2. Urgent application

3. Court fee

4. Certificate

5. Synopsis & list of dates

6. Memo of parties

7. Annexure to the Petition including impugned appointment / other order and relevant documents

8. Application for exemption from filing certified copies, dim and small font annexures with affidavit.

9. Vakalatnama on behalf of the petitioner.