



2025:DHC:835-DB



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

+ W.P.(C) 5608/2022

MS. CHARANJIT KAURPetitioner

Through: Mr. Raj Kumar Mittal,
Mr. Yogesh Kumar and Ms. Uma, Advs.
with the petitioner in person.

versus

GOVT. OF NCT OF DELHI & ORS.Respondents

Through: Ms. Avnish Ahlawat, Standing
Counsel, GNCTD with Mr. Nitesh Kumar
Singh, Ms. Laavanya Kaushik, Ms. Aliza
Alam and Mr. Mohnish Sehrawat, Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

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07.02.2025

C.HARI SHANKAR, J.

1. At the very outset, Ms. Avnish Ahlawat, learned Standing Counsel for the GNCTD submits with commendable fairness, that the disciplinary proceedings instituted against the petitioner in the present case were *ab initio* not sustainable, as they were instituted by the Secretary, Commissioner of Industries, whereas, prior to the institution of the proceedings, the post of Grade-II (DASS) which was being occupied by the petitioner had already become a Group B Post by order dated 9 April 2009 issued by the Department of Personnel &



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Training¹, following which the DOPT, *vide* order dated 9 November 2017, designated the Chief Secretary as the competent authority to institute disciplinary proceedings.

2. As, for the aforesaid reasons, the disciplinary proceedings instituted against the petitioner were *ab initio* null and void, the impugned judgment of the Central Administrative Tribunal, which dismissed the petitioner's challenge to the disciplinary proceedings instituted against her, stands set aside.

3. As the petitioner has superannuated on 30 November 2021, we are not remanding the matter for any *de novo* exercise.

4. Consequential benefits be disbursed to the petitioner within eight weeks from today.

C.HARI SHANKAR, J.

AJAY DIGPAUL, J.

FEBRUARY 7, 2025/sk

[Click here to check corrigendum, if any](#)

¹ DOPT