



2025:DHC:5698-DB



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

Date of decision: 16.07.2025

+ W.P.(C) 3841/2025 & CM APPL. 17863/2025, CM APPL. 17864/2025

DELHI TRANSPORT CORPORATION AND ANR

.....Petitioners

Through: Mr. Aviral Saxena, Standing
Counsel with Mr. Shashank S.
Pandey, Adv.

versus

MEENU RANI

.....Respondent

Through: Mr. P Sureshan, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (Oral)

1. This petition has been filed challenging the Order dated 24.07.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as, 'Tribunal') in O.A. No. 1374/2021, titled *Meenu Rani v. Delhi Transport Corporation & Anr.*, by which the learned Tribunal set aside the Memorandum dated 16.11.2018 and the Appellate Order dated 03.12.2021 whereby the services of the respondent were terminated, and also directed the reinstatement of the respondent along with all consequential benefits in accordance with the relevant rules and



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instructions. Liberty has, however, been reserved with the petitioners to initiate disciplinary action against the respondent, if so advised, in conformity with the principles of natural justice and the rules and instructions on the subject.

2. The learned counsel for the petitioners submits that the respondent had participated in a strike which was a violation of Section 3 read with Section 4A of the Haryana Essential Services Maintenance Act, 1974, as extended to the National Capital Territory of Delhi, and Regulation 15(2) Explanation-(c) of the Delhi Road Transport Authority (Conditions of Appointment and Services) Regulations, 1952.

3. He submits that the respondent was given adequate opportunity to show cause against the proposed action, by issuing *inter alia* a Memo dated 28.01.2021. He submits that the reply of the respondent was duly considered by the Committee appointed by the petitioners, before passing the Order dated 03.02.2021, which had been impugned by the respondent before the learned Tribunal.

4. On the other hand, the learned counsel for the respondent, who appears on advance notice of this petition, submits that the Order dated 03.02.2021 was passed without appreciating the contentions raised by the respondent in the reply to the show cause notice.

5. He further submits that no inquiry was held in the matter despite the respondent having denied her participation in the strike and



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even her presence in the photographs on which reliance was being placed by the petitioners. He submits that the medical certificate produced by the respondent before the committee was declared to be “bogus and invalid”, without holding any inquiry into the same. He submits that the learned Tribunal, therefore, rightly held that in the absence of an inquiry, the impugned action of terminating the services of the respondent could not be sustained.

6. We have considered the submissions made by the learned counsel for the parties.

7. The learned Tribunal, in the Impugned Order, has taken note of the fact that the termination of the services of the respondent was not simpliciter and without stigma. Though an opportunity to show cause against the proposed action was given to the respondent, even a cursory look into the Order dated 03.02.2021, dismissing her appeal against the termination order, would show that findings have been given on her participating in the strike. The respondent had denied the same and had even contended that in the photograph, in which it was claimed that she can be seen, she could not be seen. She had also produced some medical certificates to show that she could not have participated in the strike. These medical certificate were disbelieved terming them “bogus and invalid”.

8. The learned Tribunal, therefore, in our opinion, rightly found that the findings were made without holding a proper inquiry and



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without giving an opportunity of being heard and presenting her case, and therefore were in violation of the principles of natural justice and as being without any legal evidence.

9. Accordingly, we find no merit in the present petition. The same, along with the pending applications, is dismissed.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

JULY 16, 2025/pr/my/SJ