



2026-DHC:1002-DB



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

Reserved on: 26.11.2025

Pronounced on: 06.02.2026

+ **W.P.(C) 10265/2015**

RAN SINGH AND ANR.Petitioners

Through: Mr. Dhananjay Singh Sehrawat
and Ms. Ritika, Advocates.

versus

DELHI TRANSPORT CORPORATION AND ORS.

....Respondents

Through: Mrs. Avnish Ahlawat,
Standing Counsel with Mr.
Nitesh Kumar Singh, Ms. Aliza
Alam and Mr. Mohnish
Sehrawat, Advocates for
R1/DTC.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

JUDGMENT

MADHU JAIN, J.

1. The present Writ Petition has been filed challenging the order dated 15.07.2015 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as 'Tribunal') in O.A. No. 1870/2014, titled ***Ran Singh and Anr. v. Delhi Transport Corporation and Ors.***, whereby the learned Tribunal dismissed the O.A. filed by the petitioners herein.

FACTUAL MATRIX:

2. The Petitioners were working as Conductors with the respondents, that is, the Delhi Transport Corporation (hereinafter



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referred to as “DTC”). At the relevant point of time, the Petitioners were also active office bearers of the recognised majority union of DTC and were stated to be vocal in highlighting and opposing various administrative and functional issues within the Corporation.

3. This dispute traces its origin to Charge Sheet No. Narela Depot/A.L.(T)/CS-26/11/241 dated 09.08.2011, which was issued to the Petitioners jointly with one Shri Jagphool Singh, Driver. The said charge sheet was issued by the Depot Manager, Narela Depot, and was based on a report allegedly submitted by one Shri Surender Singh, ATI, who was stated to be present at the time of the alleged incident. The relevant part of the charge sheet is produced herein below:

“It is desired that you explain that why departmental action be not initiated against you under Regulation 15(2) of Delhi transport Corporation (Appointment &Conditions of Service) Act 1952.

That on 06.08.11, at around 11 o'clock, you, using unparliamentary language with Sh. Ran Singh, Coductor, B. No. and Sh. Jagphool, Driver, B.No.10566, entered in the room of Depot Manager where the Depot Manger was talking to Surender, DTC. T.no.16942. You and your friends jointly bolted the room from inside. You picked up the Depot Manager from his chair and manhandled him.

Sh. Surender tried to pacify and opened the door and hearing that many employees accumulated and some body informed the Police at No.100. Before the police came, you fled away from the Depot premises.

From the aforesaid acts, you disrupted the administrative work of the Depot and spoilt the image of the Corporation.

Thus you have violated Para I9(f)(g)(h) &m of the standing orders governing the conduct of the D.T.C. employees.



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Sh. Surender, T.N0.16942, has produced report dated 6.8.11 ,which is the basis of this charge sheet. A copy is attached herewith. On passing the final orders your past record shall be kept in mind. If you want a personal hearing, apply for the same in your reply. Your reply should reach the undersigned within 10 days of the receipt of this charge sheet. If you want to peruse any relied document, available on record, report within 24 hrs. to the undersigned, from the receipt of this charge sheet.

From the perusal of documents, report within 24 hrs to the undersigned and thereafter within 10 days reply to the charge sheet. If you are unsuccessful, it would be presumed that you have nothing to reply to the charge sheet and under the provisions, action shall be taken against you without any reference to you.”

4. The allegations contained in the charge sheet dated 09.08.2011 were that on 06.08.2011 at about 11:00 a.m., the Petitioners, along with Shri Suresh, Conductor, and Shri Jagphool Singh, Driver, entered the room of the Depot Manager while he was interacting with Shri Surender Singh, ATI. It was alleged that the Petitioners and their associates used unparliamentary language, jointly bolted the room from inside, lifted the Depot Manager, namely Shri. R.B.L Srivastava, from his chair and manhandled him. It was further alleged that Shri Surender Singh, ATI attempted to pacify the situation and opened the door, several employees had also gathered outside, the police was also informed, however, before the arrival of the police, the Petitioners fled from the depot premises. The said chargesheet dated 09.08.2011 was based on the report submitted by Shri. Surender Singh, ATI who was



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purportedly inside the room.

5. Pursuant to the said charge sheet dated 09.08.2011, a departmental enquiry was conducted against all the charged employees. It is stated by the petitioners that during the enquiry, Shri Surender Singh, ATI, categorically denied any manhandling of the Depot Manager and had further stated that he had been called upon by the Depot Manager and was compelled to submit the report dated 06.08.2011, which ultimately formed the basis of the charge sheet.

6. Upon conclusion of the enquiry, *vide* order dated 03.10.2012, Shri Jagphool Singh, Driver, was imposed the penalty of "stoppage of his next increment with cumulative effect". However, the said penalty was imposed after his retirement and was therefore incapable of being enforced. Significantly, as regards the Petitioners namely Shri Ran Singh and Shri Suresh, *vide* order dated 02.11.2012, the chargesheet dated 09.08.2011 was withdrawn with a direction that a fresh chargesheet will be issued in the due course of time.

7. Thereafter, a report was allegedly called for from Shri R.B.L. Srivastava, Senior Manager/Depot Manager. Based on such subsequent report dated 20.11.2012, a fresh charge sheet bearing No. RM(N)/CS-01/12/782 dated 20.12.2012 was issued to the Petitioners by the Regional Manager (North), an authority admittedly lower in rank than the Chairman-cum-Managing Director. The second chargesheet is reproduced herein under:

"It is desired that you explain that why departmental action be not initiated against you under Regulation 15(2) of Delhi Transport Corporation (Appointment and Conditions of



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Service)Act,1952 read with 4(e) of Delhi Road Transport (Amended) Act1971:

That on 06.08.2011, at about 11'O Clock, you alongwith with Sh. Suresh Kumar , Conductor, B.No.l6261 and Sh. Jagphool, Driver, B.No. 10566, entered in the room of Sh. R.B.L.Srivastava ,Sr. Manager (T)/Depot Manager without permission, and forced out the scheduled section employees sitting there. You along with with. Conductor, B.No.l6261 and Driver, B.No. 10566 jointly bolted the room from inside, and shouted and abused Sh. R.B.L.Srivastava and used unparliamentary language on him. You were in a toxic condition at that time. At that time, hearing the noise, employees of other sections and staff employees gathered and got the door opened. In the interregnum, some body informed the Police at No. 100 . Before the Police came, you fled away from the Depot premises.

From the aforesaid acts, it is clear that you disrupted the administrative work of the Depot and spoilt the image of the Corporation. Thus you have violated Para IS (f,g,h&m) of the standing orders governing the conduct of D.T.C.Employees.

Report No.4223 dated 20.11.12 which is the basis of the charge sheet, is attached herewith. Your reply should reach the undersigned within 10 days of the receipt of this charge sheet. If you want to peruse any relied document, available in record, report Within 24 hrs.to the undersigned, from the receipt of this charge sheet.

If you fail to report within 24 hrs to the undersigned for perusal of documents and thereafter within 10 days reply to the charge sheet, it would be presumed that that you have nothing to reply to the charge sheet and under the provisions, action shall be taken against you without any reference to you.”

8. The second charge sheet dated 20.12.2012 related to the same



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incident dated 06.08.2011, but alleged materially altered and varied the allegations against the petitioners. In place of the allegation of manhandling, it was alleged that the Petitioners shouted, abused, and used unparliamentary language against Shri R.B.L. Srivastava, Senior Manager /Depot Manager. For the first time, it was alleged that the Petitioners were in a “toxic condition”. It was further alleged that scheduled section employees were forcibly removed from the room and that employees from other sections gathered and got the door opened.

9. It is the case of the Petitioners that under the provisions of the Delhi Road Transport Act and the applicable service regulations, the Chairman-cum-Managing Director of DTC is the competent Disciplinary Authority in respect of DTC employees. Though certain disciplinary powers were delegated to Depot Managers and Regional Managers, in the present case the Chairman himself exercised disciplinary jurisdiction and consciously withdrew the charges against the Petitioners. According to the Petitioners, the second charge sheet was founded on a report allegedly given by the Senior Manager/Depot Manager after a lapse of more than one year and three months from the date of the alleged incident. It is the case of the petitioners that even though no such report had been submitted contemporaneously on 06.08.2011, the subsequent report dated 20.11.2012 and the charge sheet dated 20.12.2012 were manufactured and tailored with the sole object of reviving charges that had already been withdrawn by the competent Disciplinary Authority.



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10. A departmental enquiry was thereafter conducted pursuant to the charge sheet dated 20.12.2012. The Enquiry Officer submitted a report holding the charges to be proved against the Petitioners.

11. Acting on the enquiry report, the Regional Manager, purporting to act as the Disciplinary Authority, passed orders dated 29.11.2013, imposing upon the Petitioners the major penalty of "removal from service".

12. Aggrieved thereby, the Petitioners preferred departmental appeals dated 05.12.2013, followed by addenda dated 03.01.2014. The appeals were, however, dismissed by the Appellate Authority *vide* orders dated 01.04.2014, without granting any substantive relief.

13. Aggrieved by the said charge sheet dated 20.12.2012, the disciplinary orders dated 29.11.2013, and the appellate orders dated 01.04.2014, the Petitioners approached the learned Tribunal by filing O.A. No. 1870/2014, seeking quashing of the charge sheet and the orders passed thereon, reinstatement with all consequential benefits and continuity of service, costs, and other appropriate reliefs.

14. The present proceedings arise from the challenge to the outcome of the said Original Application and the disciplinary action taken against the Petitioners, giving rise to the issues which now fall for consideration before this Court.

SUBMISSIONS ON BEHALF OF THE PETITIONERS:

15. The learned counsel for the petitioners submits that notwithstanding the withdrawal of the charges by the highest disciplinary authority, the respondents proceeded to issue a fresh



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charge sheet dated 20.12.2012, on the basis of a belated and tailored report submitted after one year and three months of the purported incident. The learned counsel for the petitioners further submits that the fresh charge sheet was issued by the Regional Manager who had no authority to act as the Disciplinary Authority, rendering the document of second charge sheet as *void ab initio*.

16. It is further submitted by the learned counsel for the petitioners that in the second charge sheet the scope of accusations was artificially escalated to include allegations of intoxication, which were entirely absent in the initial complaint. Such escalation, without any factual basis or contemporaneous observation, is indicative of concocted charges and is a deliberate attempt to malign the petitioners thereby prejudicing their position.

17. According to the Petitioners, the second disciplinary inquiry was a colourable exercise of power, undertaken with the sole objective of removing the Petitioners from service. The learned counsel for the petitioners submits that the entire enquiry conducted pursuant to the second charge sheet was a farce, marked by withholding of crucial documents, absence of credible witnesses, and glaring contradictions in the management's version of events.

18. It is further submitted by the learned counsel for the petitioners that no material exists on record to establish either the presence of the Petitioners at the alleged incident or any misconduct attributable to them. On the contrary, employees similarly placed were either exonerated or inflicted with far lesser punishment, clearly evidencing



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discriminatory treatment. The appellate proceedings, it is argued, were equally perfunctory and culminated in a non-speaking order, betraying complete non-application of mind.

19. The learned counsel for the petitioners submits that the withdrawal of the initial charge sheet by the Chairman-cum-Managing Director concluded the matter insofar as disciplinary jurisdiction was concerned. The issuance of a fresh charge sheet by the Regional Manager, an authority subordinate to the Chairman, was wholly without jurisdiction and rendered the entire proceedings void *ab initio*. It is submitted that no reasons whatsoever were recorded for the reissuance of the charge sheet on the same set of allegations, further vitiating the action.

20. The learned counsel for the petitioners submits that the reports forming the basis of the two charge sheets are mutually contradictory and irreconcilable. The charge sheets dated 09.08.2011 and 20.12.2012, though ostensibly arising out of the same incident, depict materially different versions.

21. It is further argued by the learned counsel for the petitioners that there was a complete absence of any contemporaneous complaint or record supporting the allegations. Documents obtained from the management, including duty registers, security guard reports, and depot records, show that the Petitioners completed their duties on the alleged date and were paid in full. No record exists of any scuffle, misconduct, or premature departure from duty.

22. The learned counsel for the petitioners also relies upon the fact



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that the police were called to the depot in connection with the alleged incident, and upon inspection, the police concluded in DD No. 23A dated 06.08.2011 that no scuffle had taken place. This independent verification, it is submitted, demolishes the management's version and establishes that the allegations were fabricated post facto to justify disciplinary action.

23. The learned counsel for the Petitioners further submits that the very foundation of the disciplinary proceedings is vitiated inasmuch as Sh. R.B.L. Srivastava, reporter of the incident forming the basis of the second charge sheet dated 20.12.2012, never deposed before the Inquiry Officer. It is contended that the entire departmental action rests upon an unproved and untested report, which was neither substantiated through oral evidence nor subjected to cross-examination by the Petitioners.

24. It is submitted that several defence witnesses, including Sh. Sushil Kumar, Sh. Krishna Kumar, Sh. Praveen Kumar, Sh. Naveen Kumar, and Sh. Jai Bhagwan, consistently deposed that no scuffle or use of unparliamentary language had occurred and that the Petitioners performed their duties without incident. These testimonies remained unrebutted, yet were completely ignored by the Enquiry Officer and the Disciplinary Authority, demonstrating wilful disregard of material evidence.

25. The learned counsel further contends that the punishment imposed upon the Petitioners is grossly disproportionate and discriminatory. While other employees involved in the same incident



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were either exonerated or awarded minor penalties, the Petitioners were visited with the extreme penalty of removal from service, despite the absence of any proof of misconduct.

SUBMISSIONS ON BEHALF OF THE RESPONDENTS:

26. The learned counsel appearing for the respondents submits that the scope of judicial review in matters arising out of disciplinary proceedings is extremely circumscribed. It is contended that interference by this Court is permissible only to examine the decision-making process and not to re-appreciate evidence or substitute its own conclusions for that of the disciplinary authorities. According to the Respondents, the Petitioners have failed to point out any illegality, perversity, or procedural impropriety in the conduct of the departmental proceedings so as to warrant interference with the orders of punishment or their confirmation by the appellate authority.

27. It is further submitted by the counsel for the respondents that the Petitioners have been unable to demonstrate any prejudice caused to them on account of the disciplinary proceedings being initiated afresh. No specific plea has been raised as to how the Petitioners were deprived of an opportunity to present their defence or how the principles of natural justice were violated. In the absence of any such pleading or material, it is contended that the Petitioners cannot, at a subsequent stage, question the validity of the findings recorded by the Inquiry Officer.



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28. The learned counsel for the respondents submits that the conduct attributed to the Petitioners amounts to grave misconduct, including insubordination and disorderly behaviour within the premises of the Corporation. It is urged that such conduct strikes at the core of discipline in a public transport undertaking and, once proved, justifies strict disciplinary action. It is further contended that the punishment imposed cannot be said to be disproportionate from any perspective.

29. Addressing the issue of issuance of a fresh charge sheet, the learned counsel for the respondents submit that the earlier charge sheet dated 09.08.2011 was withdrawn on technical grounds, as the then Depot Manager was himself a party to the incident and therefore not competent to act as the disciplinary authority. It is contended that since the findings in the earlier inquiry were not proper, the disciplinary authority was justified in disagreeing with the same and in ordering a de novo inquiry by issuing a fresh charge sheet on the same misconduct, strictly in accordance with the Standing Orders and settled principles of law.

30. It is further submitted by the learned counsel for the respondents that the fresh charge sheet dated 20.12.2012, issued by the Regional Manager (North), was based on the report dated 20.11.2012 submitted by Shri R.B.L. Srivastava, the then Depot Manager, who was the victim of the alleged misconduct. The Respondents contend that the Regional Manager was the competent disciplinary authority and that the charge sheet was issued after obtaining due approval from



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the competent authority. Consequently, the orders dated 29.11.2013 passed by the Disciplinary Authority and 01.04.2014 passed by the Appellate Authority are stated to be lawful and valid.

31. The learned counsel for the respondents submits that the mere fact that the Petitioners were office bearers of a recognised union, does not grant them any immunity from disciplinary action. It is contended that no employee, irrespective of designation or position, is above discipline, and the charges of grave misconduct, once proved, must attract appropriate consequences.

32. The learned counsel for the respondents further submit that the case of the Petitioners cannot be equated with that of Shri Jagphool Singh, Driver. It is urged that in his case, the disciplinary authority was the Depot Manager, the reporter was Shri Surender Singh, ATI, and the punishment was imposed after his retirement. In contrast, the disciplinary authority in the case of the Petitioners was the Regional Manager (North), and the reporter was Shri R.B.L. Srivastava himself. Therefore, the Respondents contend that the plea of discrimination is misconceived.

33. It is also submitted by the learned counsel for the respondents that the delay in submission of the report dated 20.11.2012, does not vitiate the proceedings. According to the Respondents, once the earlier charge sheet was withdrawn on technical grounds, it became necessary to follow the proper procedure by calling for a report from the competent reporter. The Respondents deny any malafide or premeditated intent in this regard.



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34. It is contended that after receipt of the inquiry report, show-cause notices proposing the penalty of removal from service were issued to the Petitioners. Their replies were duly considered by the Disciplinary Authority, which, finding no merit therein, imposed the penalty of removal from service vide order dated 29.11.2013. The appeals preferred by the Petitioners were also considered by the Appellate Authority and were rejected by a reasoned order dated 01.04.2014.

35. Learned counsel for the respondents emphasises that the adequacy or sufficiency of evidence cannot be gone into by this Court in exercise of judicial review. Reliance is placed on the judgment of the Supreme Court in ***U.P. Cooperative Federation Ltd. & Ors. v. L.P. Rai***, (2007) 7 SCC 81, to contend that unless specific perversity or violation of procedure is shown, the findings of the Inquiry Officer cannot be interfered with.

36. Reliance is also placed on ***Kuldeep Singh v. Commissioner of Police & Ors.***, (1999) 2 SCC 10, wherein the Supreme Court observed that while findings based on no evidence would be perverse and amenable to judicial scrutiny, findings supported by some acceptable evidence, however scant, cannot be interfered with in judicial review.

37. Further reliance is placed on ***V. Ramana v. APSRTC & Ors.***, (2005) 7 SCC 338, to submit that courts should not interfere with administrative decisions unless they are illogical, suffer from procedural impropriety, or shock the conscience of the Court. It is contended that the scope of judicial review is limited to examining



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deficiencies in the decision-making process and not the correctness of the decision itself.

38. It is lastly submitted that the acts alleged against the Petitioners fall squarely within the ambit of misconduct under Paragraph 19(f), (g), (h) and (m) of the Standing Orders of the respondent-Corporation, including disorderly behaviour and acts detrimental to the interests of the organisation. The relevant clauses of the Standing Order are reproduced herein below

"f) Habitual breach of any rules, law, instructions or orders etc. applicable to the employees of the Authority.

g) Disorderly behavior in the premises of the Authority.

h) Habitual negligence of duties and lack of interest in the Authority's work.

XX XX

*m) Any other activity not specifically covered above, but which is *prima facie* detrimental to the interests of the organization."*

ANALYSIS AND FINDINGS:

39. We have considered the submissions advanced on behalf of the parties.

40. At the outset, it is necessary to reiterate the well-settled position that in matters arising out of departmental proceedings, the scope of judicial review under Article 226 of the Constitution of India is limited. The Court does not sit as an appellate authority over the findings recorded by the disciplinary authority or the Tribunal. Interference is warranted only where the decision-making process is shown to be vitiated by perversity, patent illegality, violation of principles of natural justice, or lack of jurisdiction.



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41. It is undisputed that the first charge sheet, dated 09.08.2011, arose from an alleged incident on 06.08.2011. The charges against the Petitioners were dropped and withdrawn pursuant to the approval of the Chairman-cum-Managing Director (CMD) of the Respondent-Corporation, *vide* order dated 04.09.2012. Though the same stated that a fresh charge sheet would be issued in due course of time, however, the issue is whether the second charge sheet can at all be issued on the same allegations.

42. In the present case, the controversy does not merely relate to the appreciation of evidence or proportionality of punishment, but strikes at the legality of the very initiation of departmental proceedings by issuance of a second charge sheet against the petitioners after the earlier charge sheet had been dropped and withdrawn, may be on technical infirmities.

43. The Chairman-cum-Managing Director (CMD) being the highest disciplinary authority under the applicable statutory framework had ordered for withdrawal of the Charge Sheet, *albeit* further directing for a fresh Charge Sheet to be issued. The order dated 04.09.2012, however, has not been placed on record. Therefore, sufficient reasons for the said approval of dropping of the proceedings have not been sufficiently stated. Consequently, the precise reasons which weighed with the competent authority in withdrawing the charge sheet have not been disclosed. In the absence of such material, the respondents' contention that the earlier proceedings were withdrawn merely on "technical grounds" cannot be accepted.



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44. The decision to withdraw the charges was not a tentative or interlocutory step, but a conscious exercise of disciplinary jurisdiction. Once such jurisdiction was exercised and the proceedings were dropped, the disciplinary process in respect of the incident stood concluded. While a co-delinquent arising from the same incident was visited with a penalty, the proceedings against the Petitioners were expressly withdrawn. In the absence of any rule expressly permitting reopening of concluded disciplinary proceedings on stated grounds and by the same or a higher authority, the re-initiation of proceedings against the Petitioners cannot be sustained. No such enabling provision has been brought to the notice of this Court.

45. The subsequent issuance of a fresh charge sheet dated 20.12.2012, admittedly on the same incident dated 06.08.2011, therefore, raises a serious jurisdictional issue. The second charge sheet was issued by the Regional Manager (North), an authority subordinate in rank to the Chairman-cum-Managing Director, who had earlier withdrawn the charges. In the absence of any statutory provision authorising a subordinate authority to revive or reinitiate disciplinary proceedings already dropped by the competent authority, the action of issuing the second charge sheet cannot be sustained. The explanation offered by the respondents that the earlier charge sheet was withdrawn on "technical grounds" finds no support in the material placed on record.

46. Equally significant is the fact that the second charge sheet is not a mere reiteration of the first, but contains materially altered and



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aggravated allegations. It is now based on an alleged complaint of the Depot Manager, which complaint is made after almost one year and three months of the incident. While the first charge sheet alleged manhandling of the Depot Manager, the second conspicuously omits the said primary allegation and instead introduces new assertions of shouting, abuse, intoxication, and forcible removal of staff from the room. These are not minor variations but go to the root of the alleged misconduct. The introduction of new and more serious allegations after withdrawal of the earlier charge sheet, without any contemporaneous material, lends considerable force to the Petitioners' plea of arbitrariness and colourable exercise of power.

47. Such a course strikes at the heart of fair procedure, as findings of guilt cannot be sustained on the basis of untested and unsubstantiated material.

48. The contention of the Petitioners that the earlier report by Shri Surender Singh, ATI, stood discredited during the first inquiry, where he categorically denied any manhandling and stated that he was compelled to submit the report, has not been effectively rebutted by the respondents. Once the management itself accepted the infirmity in the earlier report and withdrew the charges, it was incumbent upon the respondents to demonstrate a legally permissible basis for reopening the matter. The belated report dated 20.11.2012 does not satisfy this requirement.

49. The record further reveals that independent material contemporaneous to the alleged incident does not support the



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management's version. The DD entry No. 23A dated 06.08.2011 records that no scuffle had taken place. Depot and duty records indicate that the Petitioners completed their duties and were paid in full. These aspects, though specifically raised by the Petitioners, have not been meaningfully addressed either by the Inquiry Officer or by the Disciplinary Authority.

50. The plea of discrimination raised by the Petitioners also merits consideration. Sh. Jagphool Singh, against whom allegations arising from the same incident were levelled, was visited with a minor penalty, whereas the Petitioners were inflicted with the extreme penalty of removal from service. The distinction sought to be drawn by the respondents on the basis of different reporters and disciplinary authorities does not adequately explain the stark disparity in punishment, particularly when the substratum of the alleged misconduct remains the same.

51. Insofar as the proportionality of punishment is concerned, removal from service is the severest civil consequence. In the facts of the present case, where the allegations themselves are clouded by contradictions, lack of contemporaneous evidence, and procedural infirmities, the punishment imposed shocks the conscience of this Court.

52. In view of the above, this Court is of the considered opinion that the disciplinary proceedings initiated pursuant to the charge sheet dated 20.12.2012, the consequent orders dated 29.11.2013 passed by the Disciplinary Authority, and the Appellate Orders dated 01.04.2014



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cannot be sustained in law. The order dated 15.07.2015 passed by the learned Tribunal in O.A. No. 1870/2014 is, therefore, liable to be set aside.

53. Accordingly, the writ petition is allowed. The Impugned Order dated 15.07.2015 passed by the learned Tribunal, as well as the charge sheet dated 20.12.2012, the disciplinary orders dated 29.11.2013, and the Appellate Orders dated 01.04.2014 are hereby quashed. The Petitioners shall be entitled to reinstatement, with all notional benefits, including continuity of service and seniority.

54. However, given the fact that the petitioners have not performed their duties in the interregnum, they shall be entitled to only 50% of the back wages for the period between the date of termination of their services till their reinstatement or if they have already reached the age of superannuation, till such date.

55. There shall be no order as to costs.

MADHU JAIN, J.

NAVIN CHAWLA, J.

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