



2025:DHC:8518-DB



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

Date of decision: 22.09.2025

+ W.P.(C) 9943/2023 & CM APPL. 46399/2023, CM APPL.
47923/2024

DR. RAAKHI MEHRAPetitioner

Through: Mr. Ajai Kumar Srivastava, Mr.
Shashank Rai, Advs.

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Vijay Joshi, CGSC with
Mr. Shubham Chaturvedi,
Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioner challenging the Order dated 24.08.2022 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No.1252/2022, titled ***Dr. Rakhi Mehra, Group 'A' v. Union of India and Ors.***, dismissing the O.A. filed by the petitioner.

2. The petitioner further challenges the Order dated 18.05.2023 passed by the learned Tribunal in R.A. No. 69/2023 in the above O.A., dismissing the review application filed by the petitioner against the Order dated 24.08.2022, finding it to be barred by limitation.



3. The petitioner had filed the above O.A. challenging therein the Order dated 24.03.2017, visiting the petitioner with the major penalty of 'removal from service, which shall not be a disqualification for future employment made under the Government', as also the Order dated 14.08.2020 (which is claimed to have been received by the petitioner on 24.02.2021) and whereby the appeal filed by the petitioner against the Order dated 24.03.2017 had been dismissed by the Appellate Authority.

4. The learned counsel for the petitioner submits that the above O.A. has been dismissed by the learned Tribunal even without issuing notice on the same to the respondents.

5. He submits that in the O.A., the petitioner had raised grievance regarding various procedural lacunas in the Enquiry proceedings, including non-compliance with Rule 14 (18) of the CCS (CCA Rules); denial of opportunity to cross examine the witness produced by the department; charge-sheet not being issued by the competent authority; and denial of opportunity to the petitioner to defend the allegations in the departmental proceedings. Other grievances were also raised in the O.A. He submits that the learned Tribunal, however, only because the final decision had been taken by the respondents in consultation with the CVC and as the charge levelled against the petitioner was found to be grave and serious, dismissed the above O.A., without giving any finding on the above objections of the petitioner.

6. The learned counsel for the respondents does not dispute the position that the above O.A. had been dismissed by the learned Tribunal without issuing notice to the respondents.



7. A reading of the Impugned Order also does not show the consideration of the learned Tribunal on the above alleged procedural lacunas in the enquiry proceedings.

8. We do not approve of the manner in which the learned Tribunal has considered the challenge of the petitioner to the disciplinary proceedings. As the O.A. had been filed by the petitioner challenging the disciplinary proceedings which resulted in a major penalty of removal from service being inflicted on the petitioner, the learned Tribunal, being the Court of first instance, should have considered the objections of the petitioner more thoroughly rather than dismissing the O.A. in a perfunctory manner and even without issuing the notice to the respondents.

9. Therefore, without going into the merits of the contentions raised by the petitioner in challenge to the disciplinary proceedings, we set aside the Impugned Order passed by the learned Tribunal and remand the matter back to the learned Tribunal for a fresh adjudication.

10. The O.A. shall be restored back to its original number and shall be considered by the learned Tribunal in accordance with law and after taking a reply from the respondents. All contentions of the parties shall remain open to be agitated before the learned Tribunal in these proceedings. As the O.A. was filed in the year 2022, we request the learned Tribunal to expedite the hearing of the same, and decide the same preferably within a period of six months of its first listing before it. The parties shall appear before the learned Tribunal on 14th October, 2025.



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11. The petition, along with pending applications is disposed of in above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

SEPTEMBER 22, 2025/ys/RM/ik