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

Date of Decision: 18th May, 2026.

+ W.P.(C) 5604/2020

VINIT CHAWLA

.....Petitioner

Through: Mr. Shanker Raju, Mr. Nilansh Gaur,
Advocates.

versus

RESERVE BANK OF INDIA AND ANOTHER

.....Respondents

Through: Mr. V. Giri, Senior Advocate with
Mr. Ramesh Babu, Ms. Nisha
Sharma, Mr. Harshad Sundaram,
Advocates for RBI.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

JUDGMENT

SANJEEV NARULA, J. (Oral):

1. The Petitioner, who was serving as an Assistant with the Reserve Bank of India,¹ seeks quashing of three orders: order dated 28th February, 2019 passed by the competent authority dismissing him from service; the appellate order dated 29th January, 2020 affirming the penalty; and the communication dated 23rd June, 2020 by which his request for reconsideration was not acceded to.

2. The Petitioner does not mount his challenge on a plea of *mala fides*, victimisation or absence of employer-employee relationship governed by the Reserve Bank of India (Staff) Regulations, 1948.² His principal challenge is

¹ "RBI"

² "RBI Staff Regulations"



founded on proportionality. He submits that the misconduct, even if assumed to have been established, pertained only to administrative lapses committed during a period of acute personal distress. It is contended that the extreme penalty of dismissal from service is grossly disproportionate, particularly when the charges neither involve allegations of corruption, dishonesty, misappropriation, moral turpitude, nor occasioned any financial loss to RBI.

3. RBI opposes the petition contending that the matter does not concern an isolated lapse attributable to personal hardship. According to RBI, the Petitioner exhibited a sustained pattern of indiscipline, defiance, absence from the assigned desk, failure to complete assigned work, disregard of office timings, non-compliance with repeated instructions, and refusal to participate in the disciplinary inquiry despite notice and despite being present in the office on several dates. RBI submits that an employee of the Central Bank cannot claim indulgence after consistently declining to answer official communications, avoiding the inquiry, and then invoking personal circumstances for the first time at the appellate stage.

Facts

4. The Petitioner joined the services of RBI in December 2013 as an Assistant and was posted at the New Delhi Regional Office. A charge-sheet dated 12th September, 2018 was issued to him under Regulation 47(1) of the RBI Staff Regulations, alleging violation of Regulation 32 thereof. Regulation 32 requires every employee of the Bank to conform to and abide by the Regulations and to observe, comply with and obey all orders and directions issued by persons under whose jurisdiction, superintendence or control the employee is placed.



5. The charge-sheet contained five broad allegations. First, the Petitioner's presence at the assigned desk was almost negligible and he failed to complete data-entry work assigned to him by e-mail on 17th July, 2018 despite repeated reminders. Secondly, his monthly in and out statements for the period 1st January, 2018 to 31st August, 2018 showed habitual late arrival and non-adherence to office and lunch timings. Thirdly, despite reminders, he did not enter his forfeited leaves in lieu of late attendance in the Samadhan portal for the period January 2018 to April 2018. Fourthly, he did not submit his performance appraisal report³ for 1st July, 2017 to 30th June, 2018. Fifthly, he did not submit the details of his movable and immovable properties by 15th July, 2018 despite repeated reminders.

6. The Petitioner did not submit a reply to the charge-sheet. An Inquiry Officer was appointed on 8th October, 2018. The Petitioner was directed to appear before the Inquiry Officer and was also asked to submit details of his defence representative, witnesses and documents. He did not respond.

7. The inquiry commenced on 18th October, 2018. The Inquiry Officer and Presenting Officer waited for the Petitioner. He did not appear. The record notes that, according to the attendance system, the Petitioner had marked his attendance in office at 9:11 a.m. The inquiry was adjourned to 23rd October, 2018.

8. On 23rd October, 2018, the Petitioner again failed to appear. The record notes that he had marked attendance in office at 9:22 a.m. The proceedings were again adjourned to 25th October, 2018.

³ "PAR"



9. On 25th October, 2018, the Petitioner did not appear despite notice. The record notes that he had marked his presence in office at 9:16 a.m. The Inquiry Officer directed that if the Petitioner failed to appear on the next date, the proceedings would proceed *ex parte*.

10. On 30th October, 2018, the Petitioner again did not appear. The record notes that the notice had been received by him and that he had marked his presence in office at 9:21 a.m. Even then, the Inquiry Officer granted another opportunity and adjourned the matter to 2nd November, 2018, warning that *ex parte* proceedings would follow if the Petitioner failed to attend.

11. On 2nd November, 2018, the Petitioner again remained absent from the inquiry. The Presenting Officer then read out the charge-sheet and produced documents. The Inquiry Officer allowed RBI to lead evidence.

12. The inquiry proceeded on subsequent dates. RBI examined witnesses from the Department of Statistics and Information Management⁴ and Human Resource Management Department.⁵ The witnesses deposed with regard to office notes, e-mails, attendance records, repeated reminders issued to the Petitioner, his absence from the assigned desk, his presence in the library during office hours, failure to submit the PAR and property returns, and non-entry of leave details in the Samadhan portal.

13. Upon conclusion of the inquiry, the Inquiry Officer submitted a report dated 14th December, 2018 holding all charges proved and concluding that the Petitioner had violated Regulation 32 of the RBI Staff Regulations. The inquiry report was thereafter furnished to the Petitioner and he was afforded

⁴ “DSIM”

⁵ “HRMD”



an opportunity to submit his representation; however, no representation was submitted. A subsequent reminder also failed to elicit any response.

14. Thereafter, a show-cause notice dated 13th February, 2019 was issued proposing imposition of the penalty of dismissal from service under Regulation 47(1)(g). Although the notice was received by the Petitioner, no reply thereto was furnished.

15. By order dated 28th February, 2019, the Competent Authority imposed upon the Petitioner the penalty of dismissal from service. The disciplinary authority recorded that the Petitioner had failed to respond to any notice or communication issued during the course of the disciplinary proceedings. The authority further observed that the entire material on record, including the question of proportionality of punishment, had been considered and that the gravity of the charges, coupled with the Petitioner's defiant attitude and continuing violation of Bank rules did not justify leniency.

16. The Petitioner preferred a departmental appeal on 19th August, 2019, which was dismissed on 29th January, 2020. Thereafter, the Petitioner sought reconsideration of the matter. RBI treated the request as falling within Regulation 50(h) and declined reconsideration on the ground that no new point or circumstance had been disclosed.

Petitioner's Case

17. Mr. Shanker Raju, counsel for the Petitioner, submits that the penalty imposed is shockingly disproportionate and warrants interference. It is submitted that the Petitioner had an excellent academic profile; he had completed engineering and management studies; entered RBI through a competitive process; passed JAIIB and CAIIB examinations in the first attempt; and had also qualified phases of the Grade B examination. His pre-



2017 performance was also free from blemish. These facts, it is contended, demonstrate that the Petitioner had consistently exhibited diligence and competence prior to the events in question.

18. The Petitioner's difficulties began after his marriage in November 2017. The marital relationship deteriorated soon thereafter. He and his wife underwent medical consultation and tests. His wife left the matrimonial home in April 2018. Thereafter, matrimonial and criminal proceedings followed, including maintenance proceedings, complaint before the Crime Against Women Cell, and FIR No. 463/2018 under Sections 498A, 406, 506, 509 and 34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961. The aforesaid circumstances caused the Petitioner severe mental distress and affected his ability to discharge official functions.

19. It is urged that the charges levelled against the Petitioner essentially pertain to late attendance, absence from the assigned desk, non-submission of the PAR, non-submission of property returns and failure to update leave particulars in the Samadhan portal. It is contended that none of the allegations involve corruption, misappropriation, fraud, moral turpitude, financial irregularity or any conduct resulting in loss to the RBI so as to justify the extreme penalty of dismissal from service.

20. Mr. Raju submits that dismissal from service constitutes the severest penalty available under the Regulations and, in the facts of the present case, is an unduly harsh and disproportionate punishment, with devastating civil consequences for a young employee who had otherwise secured service through merit. It is submitted that the disciplinary authority failed to appropriately balance the nature of the misconduct alleged with the mitigating circumstances placed on record.



21. It is further submitted that the inquiry proceeded *ex parte* and that the Petitioner was unable to effectively participate in the proceedings on account of severe mental distress during the relevant period. The circumstances prevailing at the time prevented the Petitioner from adequately responding to the notices and participating in the disciplinary process.

22. The appellate authority failed to discharge the obligations cast upon it as an appellate forum and merely affirmed the findings of the disciplinary authority without undertaking an independent examination of the matter. According to the Petitioner, the appellate authority brushed aside the personal circumstances relied upon by him as an afterthought and failed to meaningfully consider whether the penalty imposed was proportionate to the nature of the misconduct established.

23. Reliance is placed on the judgement of the Supreme Court in ***Canara Bank v. Kameshwar Singh***,⁶ and ***Hasmat Ali v. Amina Bibi***,⁷ to urge that appellate and quasi-judicial authorities must pass speaking and reasoned orders. ***Chairman, LIC of India v. A. Masilamani***,⁸ is cited to submit that an appellate authority must not merely reproduce the reasoning of the disciplinary authority, without independent application of mind.

24. Reliance is placed on Regulation 50(g) and Regulation 50(h) of the RBI Staff Regulations. Regulation 50(g) requires an appeal to deal only with matters concerning the employee personally. The Petitioner submits that his matrimonial difficulties and mental condition were matters concerning him personally, and therefore were required to be considered by the appellate

⁶ AIR 2020 SC 329.

⁷ 2021 SCC OnLine SC 1142.

⁸ (2013) 6 SCC 530.



authority. Reliance is also placed on Regulation 50(h) to contend that reconsideration is permissible where new points or circumstances are brought to light. According to the Petitioner, the subsequent representations and documents furnished by him disclosed sufficient material warranting reconsideration of the penalty imposed.

25. The Petitioner further relies on Paragraph No. 5.3.2.5(iii) of the RBI General Administration Manual, which indicates that any material, prior or subsequent to the charge-sheet, which is proposed to be relied upon for the purpose of imposing penalty, must be disclosed to the employee and duly proved during the disciplinary proceedings. It is contended that RBI impermissibly relied upon alleged past conduct and subsequent events, though the same did not form part of the formal articles of charge, thereby violating the principles of natural justice.

26. Mr. Raju places reliance on the judgement of the Supreme Court in *Coal India Ltd. v. Mukul Kumar Choudhuri*,⁹ to submit that even where misconduct is proved, removal may be interfered with if it is disproportionate. He also relies upon *Union of India v. Lt. Col. Kuldeep Yadav*,¹⁰ and *Union of India v. P. Balasubrahmanyam*,¹¹ to contend that punishment must suit the offence and the offender, and must not be vindictive or unduly harsh.

27. Reliance is also placed on *B.C. Chaturvedi v. Union of India*,¹² to submit that where punishment shocks the conscience of the Court, the Court may direct reconsideration of penalty.

⁹ (2009) 15 SCC 620.

¹⁰ (2019) 10 SCC 449.

¹¹ Civil Appeal No. 1114/2021 decided on 4th March, 2021.

¹² (1995) 6 SCC 749.



28. On these submissions, the Petitioner seeks quashing of the impugned orders and reinstatement with consequential benefits, or at least, remand to the authorities for reconsideration of penalty.

RBI's Case

29. Mr. V. Giri, Senior Counsel for RBI, along with Mr. Ramesh Babu, submit that the writ petition proceeds on a selective presentation of facts and seeks to portray the Petitioner as a disciplined employee who momentarily faltered owing to personal circumstances. According to RBI, the record reflects a much longer and consistent pattern of indiscipline and non-cooperation on the part of the Petitioner.

30. RBI places reliance on an incident of 2016, when the Petitioner was posted in the Cash Department of RBI. It is alleged that the Petitioner entered the cash area without displaying his identity card, refused to remove his earphones despite being directed to do so, argued with senior officers, and behaved in an aggressive and insubordinate manner. Pursuant thereto, the Petitioner was shifted from the Cash Department DSIM. RBI further relies upon internal office notes pertaining to the Petitioner's tenure in DSIM, recording minimal work output, poor desk presence, habitual late coming, absence from the assigned seat, and repeated non-compliance with official directions.

31. It is submitted that prior to issuance of the charge-sheet, RBI repeatedly afforded opportunities to the Petitioner to improve his conduct. Cautionary advisories and show-cause notices were issued from time to time; however, the Petitioner failed to respond. The Petitioner's parents were called for counselling in February, 2018, during which the explanation furnished was that the Petitioner was preparing for the Civil Services



Examination. At no stage during the relevant period was any matrimonial discord or personal crisis disclosed to the employer.

32. It is further contended that the Petitioner received the charge-sheet but failed to submit any reply. Likewise, despite receipt of notices issued from the Inquiry Officer and despite being present in office, he deliberately abstained from appearing before the Inquiry Officer. The proceedings were adjourned repeatedly and were taken *ex parte* only after repeated opportunities had been extended to the Petitioner.

33. The Petitioner received the inquiry report and was invited to submit his representation. However, no representation was submitted. He also received the show-cause notice proposing the penalty of dismissal but again failed to furnish any response. In these circumstances, having consciously declined to avail repeated opportunities, the Petitioner cannot now be permitted to allege violation of principles of natural justice.

34. RBI further contends that the plea of matrimonial discord and personal distress has been raised only as an afterthought. Even assuming the Petitioner was facing personal difficulties, the same could not justify disregard of institutional discipline, disobedience of official instructions, non-attendance in inquiry proceedings, or non-response to official communications.

35. It is further submitted that the Petitioner's conduct must be assessed keeping in view the nature of the institution involved. RBI, being the Central Bank of the country, discharges statutory and sovereign functions and operates on strict standards of discipline, reliability and institutional integrity. According to the Respondents, repeated acts of indiscipline within



such an institution have ramifications extending beyond the conduct of an individual employee.

36. On proportionality, reliance is placed on the judgments of the Supreme Court in upon *B.C. Chaturvedi, Damoh Panna Sagar Rural Regional Bank v. Munna Lal Jain*,¹³ *Union of India v. G. Ganayutham*,¹⁴ and *Union of India v. P. Gunasekaran*.¹⁵ It is submitted that the High Court does not sit in appeal over the quantum of punishment and may interfere only where the penalty is perverse or shocks the conscience of the Court.

37. RBI further submits that the appellate authority passed a reasoned order after considering the disciplinary record, the appeal, and the Petitioner's personal plea. Regulation 50(h), according to RBI, does not contemplate a second appeal or review. It only bars repetition of a rejected appeal unless new points or circumstances are disclosed. Since the Petitioner repeated substantially the same grounds already considered in appeal, the request for reconsideration was rightly declined.

Issues

38. On the basis of the rival submissions advanced by the parties as well as the pleadings on record, the following issues arise for consideration:

- i. Whether the disciplinary inquiry and the finding of guilt suffer from violation of natural justice or perversity or arbitrariness.
- ii. Whether the disciplinary authority or appellate authority relied upon extraneous or unproved material in a manner vitiating the penalty.
- iii. Whether the appellate order suffers from non-application of mind or absence of reasons.

¹³ (2005) 10 SCC 84.

¹⁴ (1997) 7 SCC 463.

¹⁵ (2015) 2 SCC 610.



- iv. Whether the penalty of dismissal is so disproportionate to the proved misconduct as to shock the conscience of the Court.
- v. Whether the Petitioner's request for reconsideration was wrongly rejected under Regulation 50(h).
- vi. Scope of judicial review.

Analysis

Scope of Judicial Review

39. The law governing judicial review of disciplinary proceedings is settled. A writ court does not act as a departmental appellate authority. It does not reweigh evidence. It does not substitute its own view of the facts merely because another view may be possible. The Court examines whether the inquiry was held by a competent authority, whether the prescribed procedure and principles of natural justice were followed, whether the finding rests on some evidence, whether irrelevant considerations entered the decision, and whether the punishment is so disproportionate that it shocks the judicial conscience. Where there is some evidence reasonably supporting the conclusion, adequacy or reliability of evidence is not for the writ court to assess.¹⁶

40. In *State of Andhra Pradesh v. Chitra Venkata Rao*,¹⁷ the Supreme Court reiterated that a writ of certiorari corrects errors of law apparent on the face of the record, not errors of fact however grave they may appear. A finding of fact may be interfered with if it is based on no evidence, or if inadmissible material has influenced the finding, or if material evidence has been wrongly excluded.

¹⁶ 1963 SCC OnLine SC 6.

¹⁷ (1975) 2 SCC 557.



41. In *B.C. Chaturvedi*, the Supreme Court held that disciplinary and appellate authorities are vested with discretion to impose punishment, keeping in view the gravity of misconduct. The High Court cannot normally substitute its own conclusion on penalty. If the punishment shocks the conscience of the Court, the proper course is ordinarily to remit the matter to the disciplinary or appellate authority for reconsideration. In rare cases, to shorten litigation, the Court may itself impose a lesser punishment for cogent reasons.

42. In *G. Ganayutham and Om Kumar v. Union of India*,¹⁸ the Supreme Court explained that, in service matters involving punishment, proportionality review is generally conducted through the lens of Wednesbury unreasonableness. In *P. Gunasekaran*, the Supreme Court cautioned High Courts against reappreciating evidence in disciplinary matters.

43. These principles leave a narrow but real area for judicial intervention. A punishment may warrant interference where it is perverse, wholly unreasonable, or so disproportionate to the misconduct proved that it shocks the conscience of the Court. At the same time, the threshold for such interference remains high. It is not sufficient that the Court may regard the punishment as harsh or that a more lenient view may also have been possible. Judicial interference is warranted only where the punishment imposed falls outside the bounds of reasonable discretion.

Inquiry and finding of guilt

44. On the first issue, this Court finds no infirmity in either the conduct of the inquiry proceedings or the finding of guilt. The record demonstrates that



the Petitioner was duly served with the charge-sheet but failed to submit any reply. He was informed of the appointment of the Inquiry Officer and was repeatedly notified of the dates, time and venue fixed for the inquiry proceedings. Despite such notices, the Petitioner chose not to participate. The material placed on record further indicates that the Petitioner was present in office on several of the dates fixed before the Inquiry Officer. The Inquiry Officer did not proceed *ex parte* at the first instance; rather, the proceedings were adjourned on multiple occasions and final warnings were issued before the inquiry was ultimately proceeded with *ex parte*.

45. An *ex parte* inquiry is not rendered invalid merely because it proceeds in the absence of the delinquent employee. Such proceedings become vulnerable only where the employee had no notice of the inquiry, was denied reasonable opportunity of participation, or was prevented from placing his defence. The present case does not fall within any such category.

46. The inquiry report is not based on mere suspicion. It relies upon office notes, e-mails, attendance records, reminders, and witness statements. The Inquiry Officer recorded that the Petitioner was repeatedly late, rarely found at his desk, did not adhere to lunch hours, did not submit PAR and property details despite repeated reminders, did not enter leave details in Samadhan, and did not comply with instructions of superiors.

47. The Petitioner has not been able to demonstrate that the findings returned in the inquiry proceedings are based on no evidence or that inadmissible material formed the basis of the conclusions. Equally, no case is made out that any material evidence tendered by the Petitioner was excluded from consideration, particularly when the Petitioner elected not to

¹⁸ (2001) 2 SCC 386.



participate in the proceedings. The finding of guilt, therefore, warrants no interference.

Personal circumstances and mitigation

48. The Petitioner's personal circumstances have been pressed with considerable emphasis. The record indicates that the Petitioner's marriage took place in November 2017, the matrimonial relationship deteriorated, matrimonial proceedings followed, an FIR was lodged, divorce ensued, and the criminal case later came to an end. These circumstances cannot be brushed aside as either unreal or insignificant from a human perspective.

49. However, the legal issue before this Court is whether such circumstances render the disciplinary proceedings unlawful, the findings perverse, or the punishment imposed so disproportionate as to warrant interference.

50. Personal distress may, in an appropriate case, explain occasional lapses, reduced efficiency, or justify a plea for leniency in the matter of punishment. However, such circumstances cannot confer a licence upon an employee to disregard institutional discipline, remain absent from the assigned desk, fail to perform assigned duties, ignore repeated official communications, decline to furnish mandatory records, and abstain from disciplinary proceedings despite repeated notices and opportunities.

51. The Petitioner's case is further weakened by the absence of any contemporaneous medical material demonstrating that, during the relevant period, he suffered from any condition rendering him incapable of understanding official communications, responding to notices, attending inquiry proceedings, or placing his defence before the disciplinary authority. The material relied upon by the Petitioner pertains primarily to matrimonial



and fertility-related issues. The same does not establish any mental incapacity or medical condition which prevented participation in the departmental proceedings.

52. Furthermore, the case of matrimonial distress was never placed before the Inquiry Officer. It was not disclosed in response to the charge-sheet, nor urged before the disciplinary authority prior to passing of the final order. The plea surfaced only at the appellate stage. While an appellate authority may, in an appropriate case, consider mitigating circumstances even at that stage, the Petitioner cannot legitimately contend that the disciplinary authority failed to consider material which was never placed before it.

Regulation 50(g) and Regulation 50(h)

53. Much emphasis has been placed on Regulation 50(g) of the RBI Staff Regulations. The submission proceeds on an overreading of that provision.

54. Regulation 50 sets out the requirements which an appeal must satisfy. Clause (g) provides that an appeal “*shall deal only with the matters that concern the employee personally*”. The object of this clause is to confine the scope of the appeal to the employee’s own grievances and to exclude extraneous matters. The said provision cannot be construed to mean that every personal circumstance urged by an employee must necessarily be accepted as a justification for misconduct, nor does it render the appellate authority’s discretion in the matter of penalty into an obligation to grant relief merely because personal hardship is pleaded.

55. The Petitioner was undoubtedly entitled to place his personal circumstances before the appellate authority, and the appellate authority was correspondingly required to consider the same. The appellate order reflects



that such circumstances were, in fact, taken into account. However, the appellate authority found that the plea did not warrant interference.

56. Regulation 50(h) also does not assist the Petitioner. It provides that an appeal “*shall not repeat an appeal already rejected by the authority to whom the appeal is addressed, unless it discloses any new points or circumstances which afford grounds for reconsideration*”. The provision is prohibitory in nature. Its object is to prevent repeated appeals and to permit reconsideration only where genuinely new facts or circumstances are disclosed. It cannot be read as conferring an unrestricted right of review or rehearing after rejection of an appeal.

57. The Petitioner’s request for reconsideration substantially reiterated the same grounds already urged before the appellate authority, namely, that matrimonial discord and personal hardship had affected his conduct, that the punishment imposed was disproportionate, and that he deserved sympathetic consideration. Since these aspects had already been considered by the appellate authority, RBI cannot be faulted for declining reconsideration under Regulation 50(h).

Alleged reliance on past or extraneous material

58. The Petitioner relies upon Paragraph No. 5.3.2.5(iii) of the RBI General Administration Manual to contend that past or subsequent misconduct, unless charged and proved, could not be used to impose penalty.

59. As a principle, the submission is correct. A disciplinary authority cannot punish an employee for uncharged misconduct under cover of a charge-sheet confined to other acts. If earlier or later conduct is to be used as



substantive misconduct warranting penalty, the employee must have due notice and opportunity.

60. However, the impugned penalty does not require support from any uncharged misconduct. The charges framed in the charge-sheet were themselves proved in inquiry. The Petitioner's habitual late coming during January to August 2018, negligible desk presence, non-completion of assigned work, failure to upload leave entries on Samadhan portal, non-submission of PAR, and non-submission of property details are all part of the charge-sheet.

61. To avoid any ambiguity, the Court has not treated the Cash Department incident of 2016 or pre-charge office notes as independent misconduct justifying dismissal. They are relevant only to examine the Petitioner's argument that the entire deterioration was a sudden and isolated consequence of his marital issues. Even excluding those materials from the foundation of punishment, the proved charges and the Petitioner's conduct during the disciplinary process are sufficient to sustain the impugned decision.

62. Similarly, the Petitioner's failure to participate in inquiry is not being considered as a separate charge of misconduct. It is relevant to two limited questions: whether the *ex parte* inquiry was justified, and whether the Petitioner can invoke natural justice after declining repeated opportunities. It also bears upon the proportionality assessment because a disciplinary authority may legitimately notice whether the employee showed remorse, cooperation, or willingness to submit to institutional discipline when called upon to answer the charges.

Appellate order and the Petitioner's cited authorities



63. The Petitioner's attack on the appellate order requires closer consideration, since the appellate stage was the first occasion on which his personal circumstances were effectively placed on record.

64. It is true that the appellate order dated 29th January, 2020 is not a model of elaborate reasoning and could perhaps have dealt with the issue of proportionality in a more structured manner. However, the legal standard is not whether the order could have been more comprehensively written, but whether it reflects due consideration of the essential issues arising for determination.

65. A perusal of the appellate order demonstrates that the appellate authority took note of the charge-sheet, the inquiry history, the repeated notices issued to the Petitioner, his continued non-participation, the inquiry report, the proposed penalty, and the final order of punishment. The appellate authority thereafter specifically considered the Petitioner's plea of personal stress and matrimonial difficulties. It recorded that the Petitioner, along with his parents, had been called for counselling in February, 2018, but no matrimonial or personal difficulty had been disclosed at that stage. The appellate authority further observed that even after commencement of the disciplinary proceedings, the Petitioner had not demonstrated remorse or repentance. It further held that personal stress could not entitle an employee to disregard rules, avoid communication, ignore colleagues and superiors, and tear up disciplinary papers.

66. The appellate authority then concluded that there were no factors warranting modification of penalty. The reasons recorded may be brief; however, they cannot be said to be altogether absent. The appellate order, therefore, cannot be characterised as a non-speaking order.



67. The reliance placed by the Petitioner on *Canara Bank* does not carry his case any further. The proposition that an appellate authority must furnish reasons while deciding an appeal is unexceptionable. However, the appellate order in the present case cannot be invalidated merely because it did not accept the explanation offered by the Petitioner. Reasons need not be prolix; they must merely disclose application of mind and consideration of material issues. Read as a whole, the appellate order satisfies that requirement.

68. Similarly, *Hasmat Ali* reiterates the settled principle that reasons are necessary so that the affected party may understand why the submissions advanced on his behalf were not accepted. That principle too stands satisfied in the present case. This is not a case where the appeal was dismissed by a cryptic one-line order without any reference to the grounds urged by the employee.

69. Reliance on *Chairman, LIC v. A. Masilamani* is also misplaced. In that decision, the Supreme Court observed that the appellate authority must reflect application of mind and cannot merely reproduce the reasoning of the disciplinary authority to affirm its order. In the present case, the appellate authority did not merely append a formal endorsement of agreement with the disciplinary authority. It independently considered the procedural history of the matter, the Petitioner's plea of personal stress and matrimonial difficulties, and thereafter affirmed the punishment by recording its own reasons. Mere concurrence with the disciplinary authority does not render the appellate order invalid so long as independent application of mind is discernible from the order itself.

Whether dismissal shocks the conscience



70. The remaining and central question, therefore, is whether the penalty of dismissal imposed upon the Petitioner is so disproportionate to the misconduct proved as to shock the conscience of the Court.

71. If the present case had involved only occasional late attendance, isolated failure to upload leave entries, or mere delay in submission of certain records, the punishment of dismissal would undoubtedly have invited far closer scrutiny. A penalty which terminates service cannot lightly be sustained for trivial, isolated or technical infractions.

72. The present case, however, is not confined to a singular or isolated lapse. The misconduct proved against the Petitioner reveals a continuing pattern of indiscipline and non-compliance. The Petitioner was repeatedly absent from his assigned seat, failed to complete work entrusted to him, remained habitually late, did not adhere to office timings including lunch hours, failed to upload leave details in the Samadhan portal, did not submit PAR and property, and persistently failed to comply with directions issued by superior officers. Equally significant is the fact that the Petitioner neither replied to the charge-sheet, nor participated in the inquiry proceedings, nor responded to the inquiry report, nor furnished any response to the proposed penalty notice. These facts show a sustained unwillingness to obey institutional discipline.

73. The matter must also be viewed in the institutional context of RBI. It is not necessary to overstate the significance of the employer's status; however, the nature of the institution cannot be regarded as wholly irrelevant. RBI performs statutory and sovereign functions of considerable public importance. Discipline and adherence to institutional processes within



such an organisation is not merely an internal administrative concern but forms part of the integrity and functional credibility of the institution itself.

74. It is true, as urged by the Petitioner, that the present case does not involve allegations of corruption or dishonesty. However, service jurisprudence does not reserve the punishment of dismissal exclusively for cases involving corruption or moral turpitude. Persistent indiscipline, refusal to comply with official directions, repeated non-cooperation and functional unreliability may, in an appropriate case, justify imposition of a major penalty, particularly where repeated corrective measures and opportunities have failed to yield any improvement.

75. The Petitioner finally appeals to compassion. The Court does not overlook the strain which a failed marriage, criminal proceedings and domestic litigation may bring upon an individual. These circumstances deserved consideration, and the appellate authority was required to notice them. However, judicial review of a disciplinary penalty cannot be decided on sympathy alone. The Court must weigh the Petitioner's hardship against RBI's entitlement to maintain discipline within its establishment, and against the Petitioner's own failure to avail the repeated opportunities afforded to him during the disciplinary process.

76. Viewed with the latitude that human affairs sometimes warrant, the Petitioner's personal circumstances were not irrelevant. They may explain a lapse, and perhaps even a spell of uneven performance. They cannot, however, satisfactorily explain a sustained refusal to obey directions, remain available at the assigned seat, complete assigned work, respond to official communications, participate in the inquiry, or answer the proposed penalty. The misconduct was, therefore, not a solitary aberration born of distress. It



revealed a continuing unwillingness to submit to the discipline of the institution. In that setting, the penalty of dismissal, though severe, cannot be held to be so disproportionate as to shock the conscience of the Court.

77. The Petitioner's subsequent remorse and repeated pleas for mercy are understandable and may well have persuaded the employer to adopt a more compassionate course. However, considerations of mercy ordinarily lie within the domain of the employer unless law compels interference. Article 226 does not transform a plea for sympathy into an ground for reinstatement.

78. In this regard, the reliance placed on *Coal India Limited v. Mukul Kumar Choudhuri* does not advance the Petitioner's case. In that case, the misconduct pertained to unauthorised absence from duty for a period of six months; however, the delinquent employee had admitted the misconduct, explained the circumstances leading to his absence, and had even tendered his resignation, which was not accepted. It was in those circumstances that the Supreme Court held that the punishment of removal was not justified. The present case stands on an entirely different footing. Here, the Petitioner neither responded to the charge-sheet nor participated in the inquiry proceedings, despite repeated notices and opportunities. No explanation was furnished before the Inquiry Officer or the disciplinary authority during the relevant stage of proceedings. The said decision, therefore, is clearly distinguishable on facts and does not assist the Petitioner. In any event, the judgment merely reiterates the principle of proportionality; it does not displace the rule that the employer's decision on penalty is ordinarily respected unless it shocks the conscience.

79. The same is true of *Lt. Col. Kuldeep Yadav* and *P. Balasubrahmanyam*. The proposition that punishment ought not to be



unduly harsh or disproportionate is well settled. However, application of the doctrine of proportionality necessarily depends on the facts and circumstances of each case. The principle cannot be elevated into a charter enabling the writ court to substitute its own preferred punishment merely because another view on penalty may also be possible.

80. In the facts of the present case, having regard to the sustained pattern of indiscipline and non-cooperation established against the Petitioner, this Court is unable to hold that the punishment imposed is so disproportionate or irrational as to warrant interference in exercise of jurisdiction under Article 226 of the Constitution.

Double jeopardy and forfeiture of leave

81. The Petitioner faintly suggests that late coming had already led to forfeiture of leave and therefore dismissal amounts to double punishment. The submission cannot be accepted. Forfeiture or adjustment of leave on account of late attendance is an administrative consequence of attendance management. The disciplinary action was not merely for late coming. It was for a wider pattern of disobedience, absence from desk, non-completion of work, non-submission of mandatory documents, non-entry in Samadhan, and violation of Regulation 32 of the RBI Staff Regulations. The principle of double jeopardy, therefore, has no application.

Relief

82. The Court has also considered whether the matter ought to be remitted to the disciplinary or appellate authority for a fresh consideration of penalty. Such a course is warranted where the authority has ignored material factors, proceeded on an erroneous legal premise, taken into account considerations



which could not lawfully enter the decision, or imposed a punishment which crosses the threshold of shockingly disproportionate penalty. None of these conditions is attracted here.

83. The disciplinary authority considered the inquiry record and the question of penalty after the Petitioner chose not to respond to the show-cause notice proposing dismissal. The appellate authority, in turn, noticed the plea of personal hardship and rejected it for reasons which are discernible from the order. The Petitioner's subsequent request did not disclose any new point or circumstance requiring the matter to be reopened under Regulation 50(h). A remand on penalty would, in these facts, serve no legal purpose and would only prolong a matter in which the disciplinary process has already run its full course.

84. For the reasons aforesaid, the writ petition is dismissed. Pending applications, if any, also stand disposed of.

SANJEEV NARULA, J

MAY 18, 2026

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