212 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

****

CWP-4909-2019 (O&M)
Date of Decision: 22.07.2025

Rajender Singh ...Petitioner

Vs.

State of Haryana and Ors. ...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. S.K. Redhu, Advocate for the petitioner

Mr. Shashank Bhandari, Addl. A.G. Haryana

***

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition is seeking setting aside:-

i. order dated 18.11.2010 whereby Superintendent of Police awarded him punishment of dismissal from service;

ii. order dated 16.05.2011 whereby Appellate Authority substituted punishment of dismissal from service by stoppage of three future annual increments with permanent effect; and

iii. order dated 10.10.2016 whereby Revisionary Authority has dismissed his revision.

2. The petitioner joined Haryana Police as Constable on 17.08.2001. In 2010, an FIR No.351 dated 03.05.2010 under Section 302/201 IPC was registered at Police Station City, Rohtak. It was a case of murder of Satish s/o Manphool. The respondent received an information that deceased was murdered by his servant and a SIM card bearing No.92557-36327 was used by petitioner which was actually in the name of deceased-Satish. The respondent initiated an enquiry against the petitioner. The Inquiry Officer submitted his report dated 20.09.2010 whereby petitioner was exonerated from the charges levelled against him. The Superintendent Rohtak did not agree with report of Inquiry Officer. He issued a show cause-cum-disagreement note dated 11.10.2010 calling upon the petitioner to show cause as to why punishment from dismissal from service should not be awarded to him. The petitioner preferred reply to the said notice. He was further heard by the Disciplinary Authority. The said authority vide order dated 18.11.2010 ordered to dismiss him from service. He preferred an appeal before the Appellate Authority which vide order dated 16.05.2011 substituted punishment of dismissal from service by forfeiture of three annual increments with permanent effect. He unsuccessfully preferred revision before DGP, Haryana.

3. Mr. S.K. Redhu, Advocate submits that respondent-Disciplinary Authority recorded disagreement note and called upon the petitioner to show cause as to why punishment of dismissal from service

should not be inflicted. The petitioner was not supplied reasons for disagreement and was not granted opportunity of hearing. The petitioner was straightaway supplied disagreement note with show cause notice proposing punishment. The procedure adopted by respondent was in gross violation of judgment of Hon'ble Supreme Court in ***"Punjab National Bank Vs. Kunj Behari Misra" 1998(7) SCC 84.*** This Court in "***Rajesh Kumar Vs. State of Haryana and Ors.***" ***CWP No.20044 of 2013 decided on 30.06.2015*** and ***"Birender Singh and Ors. Vs. The State of Haryana and Ors" CWP No.3616 of 2019 (O&M) decided on 12.07.2019*** has set aside punishment order on the ground that there was non-compliance of judgment of Supreme Court in ***Kunj Behari Misra (supra)***.

4. *Per contra*, learned counsel for the respondents submits that the petitioner was issued disagreement note as well as called upon to show cause as to why punishment should not be awarded. He filed reply to show cause notice and was also heard by Disciplinary Authority, thus, there was compliance of principles of natural justice. The judgments cited by the petitioner are inapplicable to the instant case.

5. I have heard learned counsel for the parties and perused the record of the case.

6. The entire case of petitioner is based upon judgment of Hon'ble Supreme Court in ***Kunj Behari Misra (supra).*** The Apex Court has adverted to Regulation 7 of Punjab National Bank Officer Employees

(Discipline and Appeal) Regulations, 1977. Interpreting Regulation 7(2) of Regulations, the Court held that whenever Disciplinary Authority disagrees with the Inquiry Authority or any article of charge, it must record its tentative reasons for such disagreement and give the delinquent officer opportunity to represent before it records its findings. The report of Inquiry Officer containing its findings will have to be conveyed and the delinquent officer will have an opportunity to persuade the disciplinary authority to accept the favourable conclusion of the inquiry officer. The relevant extracts of the judgments of the Apex Court are reproduced as under:-

> *"10. XXXX XXXX XXXX XXXX*
> *7. Action on the inquiry report:*
> *(1) The Disciplinary Authority, if it is not itself the inquiry Authority, may, for reasons to be recorded by it in writing, remit the case to the Inquiring Authority for fresh or further inquiry and report and the Inquiring Authority shall thereupon proceed to hold the further inquiry according to the provisions of Regulation 6 as far as may be.*
> *(2) The Disciplinary Authority shall, if it disagrees with the findings of the inquiry Authority on any article of charge, record its reasons for such disagreement and record its own findings on such charge, if the evidence on record is sufficient for the purpose.*
> *(3) If the Disciplinary Authority, having regard to its findings on all or any of the articles of charge, is of the opinion that any of the penalties specified in Regulation 4 should be imposed on the officer employee it shall, notwithstanding anything contained in regulation 8, make*

an order imposing such penalty.

(4) If the Disciplinary Authority having regard to its findings on all or any of the articles of charge, is of the opinion that no penalty is called for, it may pass an order exonerating the officer employee concerned."

XXXX XXXX XXXX

15. Under Regulation-6 the inquiry proceedings can be conducted either by an inquiry officer or by the disciplinary authority itself. When the inquiry is conducted by the inquiry officer his report is not final or conclusive and the disciplinary proceedings do not stand concluded. The disciplinary proceedings stand concluded with decision of the disciplinary authority. It is the disciplinary authority which can impose the penalty and not the inquiry officer. Where the disciplinary authority itself holds an inquiry an opportunity of hearing has to be granted by him. When the disciplinary authority differs with the view of the inquiry officer and proposes to come to a different conclusion, there is no reason as to why an opportunity of hearing should not be granted. It will be most unfair and inequitous that where the charged officers succeed before the inquiry officer they are deprived of representing to the disciplinary authority before that authority differs with the inquiry officer's report and, while recording a finding of guilt, imposes punishment on the officer. In our opinion, in any such situation the charged officer must have an opportunity to represent before the disciplinary authority before the final findings on the charges are recorded and punishment imposed. This is required to be done as a part of the first stage of inquiry as explained in Karunakar's case (supra).

16. The result of the aforesaid discussion would be that the principles of natural justice have to be read into Regulation 7(2). As a result thereof whenever the

disciplinary authority disagrees with the inquiry authority on any article of charge then before it records its own findings on such charge, it must record its tentative reasons for such disagreement and give to the delinquent officer an opportunity to represent before it records its findings. The report of the inquiry officer containing its findings will have to be conveyed and the delinquent officer will have an opportunity to persuade the disciplinary authority to accept the favourable conclusion of the inquiry officer. The principles of natural justice, as we have already observed, require the authority, which has to take a final decision and can impose a penalty, to give an opportunity to the officer charged of misconduct to file a representation before the disciplinary authority records its findings on the charges framed against the officer."

7. In the case of Police officials, enquiries are conducted in terms of Rule 16.24 of Punjab Police Rules, 1934 (in short 'PPR'). The complete procedure has been described in Rule 16.24 of PPR. The said rule for the ready reference is reproduced as below:-

***"16.24. Procedure in departmental enquiries**.-(1) The following procedure shall be followed in departmental enquiries –*

(i) The police officer accused of misconduct shall be brought before an officer empowered to punish him, or such superior officer as the Superintendent may direct to conduct the enquiry. That officer shall record and read out to the accused officer a statement summarizing the alleged misconduct in such a way as to give full notice of the circumstances in regard to which evidence is to be recorded. A cop of the statement will also be

supplied to the accused officer free of charge.

(ii) If the accused police officer at this stage admits the misconduct alleged against him, the officer conducting the enquiry may proceed forthwith to frame a charge, record the accused officer's plea and any statement he may wish to make in extenuation and to record a final order, if it is within his power to do so, or a finding to be forwarded to an officer empowered to decide the case. When the allegations are such as can form the basis of a criminal charge, the Superintendent shall decide at this stage, whether the accused shall be tried departmentally first and judicially thereafter.

(iii) If the accused police officer does not admit the misconduct, the officer conducting the enquiry shall proceed to record such evidence, oral and documentary, in proof of the accusation, as is available and necessary to support the charge. Whenever possible, witnesses shall be examined direct, and in the presence of the accused, who shall be given opportunity to take notes of their statements and cross-examine them. The officer conducting the enquiry is empowered, however, to bring on to the record the statement of any witness whose presence cannot, in the opinion of such officer, be procured without undue delay and expense or inconvenience, if he considers such statement necessary, and provided that it has been recorded and attested by a police officer superior in rank to the accused officer or by a magistrate, and is signed by the person making it. This statement shall also be read out to the accused officer and he shall be given an opportunity to take notes. The accused shall be bound to answer any questions

which the enquiring officer may see fit to put to him with a view to elucidating the facts referred to in statements or documents brought on the record as herein provided.

(iv) When the evidence in support of the allegations has been recorded the enquiring officer shall, (a) if he considers that such allegations are not substantiated, either discharge the accused himself, if he is empowered to punish him, or recommend his discharge to the Superintendent, or other officer, who may be so empowered, or (b) proceed to frame a formal charge or charges in writing, explain them to the accused officer and call upon him to answer them.

(v) The accused officer shall be required to state the defence witnesses whom he wishes to call and may be given time, in no case exceeding forty eight hours, to prepare a list of such witnesses, together with a summary of the facts as to which they will testify. The enquiring officer shall be empowered to refuse to hear any witnesses whose evidence he considers will be irrelevant or unnecessary in regard to the specific charge framed. He shall record the statements of those defence witnesses whom he decides to admit in the presence of the accused, who shall be allowed to address questions to them, the answers to which shall be recorded; provided that the enquiring officer may cause to be recorded by any other police officer superior in rank to the accused the statement of any such witness whose presence cannot be secured without undue delay or inconvenience, and may bring such statement on to the record. The accused may file documentary evidence and may for this purpose be

allowed access to such files and papers, except such as form part of the record of the confidential office of the Superintendent of Police, as the enquiring officer deems fit. The supply of copies of documents to the accused shall be subject to the ordinary rules regarding copying fees.

(vi) At the conclusion of the defence evidence, or, if the enquiring officer so directs, at any earlier stage following the framing of a charge, the accused shall be required to state his own answer to the charge. He may be permitted to file a written statement and may be given time, not exceeding one week, for its preparation, but shall be bound to make an oral statement in answer to all questions which the enquiring officer may see fit to put to him, arising out of the charge, the recorded evidence, or his own written statement.

(vii) The enquiring officer shall proceed to pass orders of acquittal or punishment, if empowered to do so, or to forward the case with his finding and recommendations to an officer having the necessary powers. Whenever the officer passing the orders of punishment proposes to take into considerations the adverse entries on the previous record of the accused police officer, he shall provide reasonable opportunity to the defaulter to defend himself; and a copy or at least a gist of those entries shall be conveyed to the defaulter and he shall be asked to convey to the defaulter and he shall be asked to give such explanation as he may deem fit. The explanation furnished by the defaulter shall be taken into account by the officer before passing orders in the case.

(viii) Nothing in the foregoing rule shall debar a

Superintendent of Police from making or causing to be made a preliminary investigation into the conduct of a suspected officer. Such an enquiry is not infrequently necessary to ascertain the nature and degree of misconduct which is to be formally enquired into. The suspected police officer may or may not be present at such preliminary enquiry, as ordered by the Superintendent of Police or other gazetted officer initiating the investigation, but shall not cross-examine witnesses. The file of such a preliminary investigation shall form no part of the formal departmental record, but statements therefrom may be brought to the formal record when the witnesses are no longer available in the circumstances detailed in clause (iii) above. All statements recorded during a preliminary investigation should be signed by the person making them and attested by the officer recording them.

(2) (i) Notwithstanding anything contained in sub-rule (1) a Superintendent of Police or any officer of rank higher than Superintendent, may instituted, or cause to be instituted, ex parte proceedings in any case in which he is satisfied that the defaulter cannot be found or that in spite of notice to attend the defaulter is deliberately evading service or refusing to attend without due cause.

(ii) The procedure in such ex parte proceedings shall, as far as possible, conform to the procedure laid down in sub-rule (1): Provided that the defaulter shall be deemed –

(a) not to have admitted the allegations contained in the summary of misconduct, and

(b) to have entered a plea of not guilty of the charge:

Provided further that the defaulter, if he subsequently

appears at any stage during the course of the proceedings shall not be entitled to claim de novo proceedings or to recall for cross-examination any witness whose evidence has already been recorded. He shall, however, be fully informed of the evidence which has been led against him and shall be permitted to take notes thereof. He shall also be furnished with a copy of the summary of misconduct and of the charge or charges framed.

(3) Notwithstanding anything contained in these rules, where an officer, empowered to dismiss, remove or reduce in rank the police officer accused of misconduct, is satisfied at any stage during an enquiry that for reasons, to be recorded in writing by that officer, it is not reasonably practicable to hold the enquiry after that stage, he will straight-away award the punishment.

Explanation *- For the purposes of sub-rule (3), initiation of disciplinary proceedings against the police officer on the grounds of,-*

(i) indulging in spying or smuggling activities;

(ii) disrupting the means of transport or of communication;

(iii) damaging public property;

(iv) creating indiscipline amongst fellow policemen;

(v) promoting feelings of enmity or hatred between different classes of citizens of India on grounds of religion, race, caste, community or language;

(vi) going on strike or mass casual leave or resorting to mass abstentions;

(vii) spreading disaffection against the Government; and

(viii) causing riots and the like;

shall be sufficient reason for concluding that it is not reasonably practicable to hold the enquiry

[Emphasis supplied].”

From the perusal of the above quoted Rule, it is evident that Clause (vii) of Rule 16.24(1) deals with situation post conclusion of inquiry. It provides that Inquiry Officer shall proceed to pass orders of acquittal or punishment, if empowered to do so or to forward the case with his findings and recommendations to an officer having the necessary powers. There is nothing in the rule which provides that Disciplinary Authority if is different from Inquiry Officer, would record disagreement note and issue notice to delinquent. There is nothing in PPR like Rule 7 in PNB Regulations adverted to in ***Kunj Behari Misra (supra)***. The judgment of Hon'ble Supreme Court cannot mechanically be applied to the instant case. The Apex Court interpreting Regulation 7 has principally held that there should be compliance of principles of natural justice.

8. In the instant case, the Disciplinary Authority did not agree with the findings of Inquiry Officer and issued show cause notice. The disagreement note-cum-show cause notice dated 10.10.2010 is reproduced as under:-

> ***"DISAGREEMENT NOTE-CUM-SHOW CAUSE NOTICE***
>
> *I.B.Satheesh Balan, IPS, Superintendent of Police, Rohtak am to say that a regular departmental enquiry was ordered against yout. Rajinder Singh No. 996/RTK and DSP(HQ) Rohtak was appointed to enquire into certain charges against you and later on DSP Meham was appointed as Enquiry Officer, who has submitted his findings against you on 20.09.10 exonerating you from the charges levelled*

against you. A copy of the findings of the Enquiry Officer is enclosed herewith for your information and necessary action.

2. I have perused all the relevant record and findings submitted by the enquiry officer and I am not agreed with the findings of enquiry officer on the point mentioned below :-

(i) The Enquiry Officer has not given cogent reliable and appealing reason for disbelieving Inspr. Pradeep Kumar.

(ii) As per summary of allegation dated 28.7.10, Enquiry Officer levelled the allegations upon you, which come to his notice from secret source that you were using the SIM No. 9255736327 of Satish (deceased) in case FIR No. 351 dt. 03.05.10 u/s 302/201 IPC PS City Rohtak to which he was duty bound and further alleged that you did not informed the senior officers about death of deceased Satish in time. But the above alleged has neither been proved either used or not used by the Enquiry Officer. The facts mentioned only that there is no proof about its using. Enquiry officer has brought the evidence on file about its using or not using by you. There is no call details brought on file by the enquiry officer.

(iii) The Enquiry Officer has conducted enquiry properly and has not taken into consideration the case file of above noted criminal case

From the above said points I am provisionally of the opinion that as to why a punishment of dismissal from service may not be inflicted upon you Ct. Rajender Singh No.996/RTK the alleged allegations of misuse SIM No9255736327 which is in the name of deceased Satish of case FIR No.351 dt. 03.05.10 u/s 302/201 TPC PS City, Rohtak and concealed the information from Senior Officers for solve the case while posted as Security Agent

> *at P.S. Civil Lin, Rohtak. Before taking the proposed action, I would like to give you an opportunity of showing cause against the posed action. Hence, you are hereby directed to submit your written reply/ representation, if any, to the undersigned within 15 days from the receipt of this communication, otherwise it will be presumed that you have nothing to say in this connection and final order will be passed accordingly. You are also permitted to appear before the undersigned on any working day for personal hearing in this regard. No. 1305/ST Dated 11.10.10"*

From the perusal of disagreement note-cum-show cause notice, it is evident that Disciplinary Authority duly recorded reasons for disagreement and thereafter, called upon the petitioner to show cause as to why punishment should not be awarded to him. He filed detailed reply to show cause notice. The Disciplinary Authority noticing reply of the petitioner passed punishment order.

It is settled proposition of law that Disciplinary Authority is not bound by opinion of Inquiry Officer. The Disciplinary Authority is free to disagree with the report of Inquiry Officer, however has to record records for disagreement. In the instant case, the Disciplinary Authority disagreed with the report of Inquiry Officer and recorded its reasons for disagreement. The petitioner was granted opportunity to file reply to show cause notice as well as granted opportunity of hearing, thus, the order of punishment was passed after complying with the principles of natural justice.

9. The Appellate Authority taking lenient view substituted

punishment of dismissal from service by stoppage of three annual increments with permanent effect. The authorities have duly complied with the principles of natural justice, thus, claim of petitioner is not sustainable.

10. Scope of interference while exercising jurisdiction under Articles 226/227 of the Constitution of India in disciplinary proceedings is very limited. The Court has no power to look into quantum of sentence/punishment unless and until Court finds that sentence awarded is disproportionate to alleged offence. It is further settled proposition of law that High Court while exercising its jurisdiction under Article 226 of Constitution of India can look into the procedure followed by authorities. In case, it is found that enquiry officer or disciplinary authority has not considered any evidence on record or misread the evidence or procedure as prescribed by law has not been followed, the Court can interfere. A two-judge Bench of Hon'ble Supreme Court in ***Union of India and others vs. Subrata Nath,*** **2022 LiveLaw (SC) 998** while adverting with scope of interference under Article 226 of the Constitution of India in disciplinary proceedings has held that departmental authorities are fact finding authorities. On finding the evidence to be adequate and reliable during the departmental inquiry, the Disciplinary Authority has the discretion to impose appropriate punishment on the delinquent employee keeping in mind the gravity of the misconduct. The Hon'ble Supreme Court has considered its judicial precedents including a two-judge Bench judgment in ***Union of India and Others v. P. Gunasekaran***. The relevant

extracts of the judgment read as :

> *"19. Laying down the broad parameters within which the High Court ought to exercise its powers under Article 226/227 of the Constitution of India and matters relating to disciplinary proceedings, a two Judge Bench of this Court in Union of India and Others v. P. Gunasekaran held thus :*
>
> > *"12. Despite the well-settled position, it is painfully disturbing to note that the High Court has acted as an appellate authority in the disciplinary proceedings, reappreciating even the evidence before the enquiry officer. The finding on Charge I was accepted by the disciplinary authority and was also endorsed by the Central Administrative Tribunal. In disciplinary proceedings, the High Court is not and cannot act as a second court of first appeal. The High Court, in exercise of its powers under Articles 226/227 of the Constitution of India, shall not venture into re-appreciation of the evidence. The High Court can only see whether:*
> >
> > *(a) the enquiry is held by a competent authority;*
> >
> > *(b) the enquiry is held according to the procedure prescribed in that behalf;*
> >
> > *(c) there is violation of the principles of natural justice in conducting the proceedings;*
> >
> > *(d) the authorities have disabled themselves from reaching a fair*

conclusion by some considerations extraneous to the evidence and merits of the case;

(e) the authorities have allowed themselves to be influenced by irrelevant or extraneous considerations;

(f) the conclusion, on the very face of it, is so wholly arbitrary and capricious that no reasonable person could ever have arrived at such conclusion;

(g) the disciplinary authority had erroneously failed to admit the admissible and material evidence;

(h) the disciplinary authority had erroneously admitted inadmissible evidence which influenced the finding;

(i) the finding of fact is based on no evidence.

13. Under Articles 226/227 of the Constitution of India, the High Court shall not:

(i) reappreciate the evidence;

(ii) interfere with the conclusions in the enquiry, in case the same has been conducted in accordance with law;

(iii) go into the adequacy of the evidence;

(iv) go into the reliability of the evidence;

(v) interfere, if there be some legal evidence on which findings can be based.

(vi) correct the error of fact however grave it may appear to be;

(vii) go into the proportionality of punishment unless it shocks its conscience."

X X X X

22. To sum up the legal position, being fact finding authorities, both the Disciplinary Authority and the Appellate Authority are vested with the exclusive power to examine the evidence forming part of the inquiry report. On finding the evidence to be adequate and reliable during the departmental inquiry, the Disciplinary Authority has the discretion to impose appropriate punishment on the delinquent employee keeping in mind the gravity of the misconduct. However, in exercise of powers of judicial review, the High Court or for that matter, the Tribunal cannot ordinarily reappreciate the evidence to arrive at its own conclusion in respect of the penalty imposed unless and until the punishment imposed is so disproportionate to the offence that it would shock the conscience of the High Court/Tribunal or is found to be flawed for other reasons, as enumerated in P. Gunasekaran (supra). If the punishment imposed on the delinquent employee is such that shocks the conscience of the High Court or the Tribunal, then the Disciplinary/Appellate Authority may be called upon to re-consider the penalty imposed. Only in exceptional circumstances, which need to be mentioned, should the High Court/Tribunal decide to impose appropriate punishment by itself, on offering

cogent reasons therefore."

11. A Constitution Bench in ***Syed Yakoob Vs K.S. Radhakrishnan***, **AIR 1964 SC 477** and a two judge bench of the Hon'ble Supreme Court recently in ***Central Council for Research in Ayurvedic Sciences and another Vs Bikartan Das and others*** **2023 SCC Online SC 996** have reminded us that there are two cardinal principles of law governing issuance of writ of certiorari under Article 226 of the Constitution of India i.e. (i) High Court does not exercise the powers of Appellate Tribunal. It does not review or reweigh the evidence upon which the determination of the inferior tribunal purports to be based. It demolishes the order which it considers to be without jurisdiction or palpably erroneous but does not substitute its own views for those of the inferior tribunal. The writ of certiorari can be issued if an error of law is apparent on the face of the record; (ii) in a given case, even if some action or order challenged in the writ petition is found to be illegal and invalid, the High Court while exercising its extraordinary jurisdiction thereunder can refuse to upset it with a view to doing substantial justice between the parties. It is perfectly open for the writ court, exercising this flexible power to pass such orders as public interest dictates & equity projects. The High Court would be failing in its duty if it does not notice equitable consideration and mould the final order in exercise of its extraordinary jurisdiction. Any other approach would render the High Court a normal court of appeal which it is not.

12. A writ of certiorari can be issued for correcting errors of jurisdiction committed by inferior courts or tribunals. Error of jurisdiction includes order by inferior court or tribunal without jurisdiction or in excess of it or as a result of failure to exercise jurisdiction. A writ can similarly be issued where in exercise of jurisdiction conferred on it, the Court or Tribunal acts illegally or improperly, as for instance, it decides a question without giving an opportunity to be heard to the party affected by the order, or where the procedure adopted in dealing with the dispute is opposed to principles of natural justice. There is, however, no doubt that the jurisdiction to issue a writ of certiorari is a supervisory jurisdiction and the Court exercising it is not entitled to act as an appellate Court. This limitation necessarily means that findings of fact reached by the inferior Court or Tribunal as result of the appreciation of evidence cannot be reopened or questioned in writ proceedings. An error of law which is apparent on the face of the record can be corrected by a writ, but not an error of fact, however grave it may appear to be. In regard to a finding of fact recorded by the Tribunal, a writ of certiorari can be issued if it is shown that in recording the said finding, the Tribunal had erroneously refused to admit admissible and material evidence, or had erroneously admitted inadmissible evidence which has influenced the impugned finding. Similarly, if a finding of fact is based on no evidence, that would be regarded as an error of law which can be corrected by a writ of certiorari. In dealing with this category of cases, however, High Court must always bear in mind that a finding of fact recorded by the

Tribunal cannot be challenged in proceedings for a writ of certiorari on the ground that the relevant and material evidence adduced before the Tribunal was insufficient or inadequate to sustain the impugned finding. The adequacy or sufficiency of evidence led on a point and the inference of fact to be drawn from the said finding are within the exclusive jurisdiction of the Tribunal, and the said points cannot be agitated before a writ Court. It is within these limits that the jurisdiction conferred on the High Courts under Art. 226 to issue a writ of certiorari can be legitimately exercised.

13. In the case in hand, the Disciplinary Authority granted opportunity to file reply as well as personal hearing. The Appellate and Revisionary Authority heard the petition and therefore, passed speaking orders. The Authorities have recorded factual finding and there is no material irregularity or infirmity in those findings warranting interference.

14. In the wake of above discussion and findings, this Court is of the considered opinion that the instant petition deserves to be dismissed and accordingly dismissed.

15. Pending application(s), if any, also stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

22.07.2025
Deepak DPA

Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No