

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No. 288 of 2024

Shri Naresh Kumar,
S/O Shri Rohtash Singh
Village- Phideri, PO- Sheowraj Majra,
PS-Rewari (Sadar), Dist- Rewari,
State- Haryana, Pin- 123401.

.....Petitioner(s).

Vs.

- 1. The State of Tripura,**
Represented by the Secretary, Department of Home,
Government of Tripura, Civil Secretariat,
Agartala, Tripura West, PIN-799010
- 2. The Inspector General of Police,**
(Provisioning & Budget),
PHQ, Agartala, West Tripura
PIN – 799001.
- 3. The Deputy Inspector General of Police, AP(OPS-1),**
Government of Tripura,
A.D Nagar, Agartala, West Tripura,
PIN-799003, (Appellate Authority).
- 4. The Commandant, 3rd Bn TSR,**
Government of Tripura, Kachucherra,
Dist-Dhalai, Tripura,
PIN-799278 (Disciplinary Authority).
- 5. Shri Dhan Kumar Kalai,**
Assistant Commandant, 3rd Bn TSR,
Government of Tripura, Kachucherra,
Dist-Dhalai, Tripura, PIN-799278 (Enquiry Officer).

.....Respondent(s).

**Along with
WP(C) No. 286 of 2024**

Sri. Manoj. M (Age. 44 years)
S/O Late K.K.Muraleedharan,
Puthen Veettil Thazhathil,
PO-Muttom, Thumpamon,
PS Pandalam, Dist-Pathanamthitta,
Kerala, Pin-689502.

.....Petitioner(s).

Vs.

- 1. The State of Tripura,**
Represented by the Secretary, Department of Home,

Government of Tripura, Civil Secretariat,
Agartala, Tripura West, PIN-799010

- 2. The Inspector General of Police,**
(Provisioning & Budget)
PHQ, Agartala, West Tripura
PIN – 799001
- 3. The Deputy Inspector General of Police, AP(OPS-1),**
Government of Tripura,
A.D Nagar, Agartala, West Tripura,
PIN-799003, (Appellate Authority).
- 4. The Assistant Inspector General of police,**
PHQ, P.O-Agartala, Pin-799001,
District-West Tripura.
- 5. The Commandant 7th BN TSR (IR-VI),**
Sangkumabari, Jampuijala,
Sepahijala, Tripura,
Pin-799011.
- 6. The Deputy Commandant,**
7th BN TSR (IR-VI),
Sangjumabari, Jampuijala (Inquiry Officer),
Pin.799011.

.....Respondent(s).

Along with
WP(C) No. 325 of 2024

Sri Rupesh Kr. Mishra
S/O Sri Upendra Kr. Mishra,
Resident of Janadh, P.O.-Janadh,
P.S. Aurai, District-Muzaffarpur,
Bihar.

.....Petitioner(s).

Vs.

- 1. The State of Tripura,**
Represented by the Secretary, Department of Home,
Government of Tripura, New Secretariat Complex,
Gurkhabasti, P.O.-Kunjaban, P.S.- NCC,
Agartala, District-West Tripura.
- 2. The Director General of Police,**
Police Head Quarter,
Fire Brigade Chowmuhani,
P.O.- Agartala, District-West Tripura.
- 3. The Deputy Inspector General of Police, AP(OPS-1),**
Government of Tripura,
A.D Nagar, Agartala, West Tripura,
PIN-799003.

4. The Assistant Inspector General of police,
PHQ, Fire Brigade Chowmuhani,
P.O-Agartala, Pin-799001,
District-West Tripura.

5. The Commandant 12th BN TSR (IV-VIII),
TAC HQR, Chakmaghat,
Teliamura, District-Khowai Tripura 799205.

6. The Deputy Commandant,
12th Bn. TSR (IV-VIII)
TAC HQR, Chakmaghat,
Teliamura, Dist-Khowai Tripura 799205.

7. Shri Shasvat Kumar, IPS
Assistant Inspector General of Police,
Police Headquarters,
Fire Brigade Chowmuhani,
Agartala 799001, District- West Tripura.

8. Sri Carey Marak, IPS
Deputy Inspector General of Police, AP(Ops-I)
A.D. Nagar,
Agartala, District West Tripura.

9. Sri Ranaditya Das,
12th Bn. TSR (IV-VIII),
TAC HQR, Chakmaghat,
Teliamura, Dist- Khowai Tripura. 799205.

10. Sri Pintu Debbarma,
12th Bn. TSR(VI-VIII),
TAC HQR, Chakmaghat,
Teliamura, Dist-Khowai Tripura. 799205.

.....Respondent(s).

Along with
WP(C) No. 326 of 2024

Sri Virendra Singh, (Aged about 47 years)
Ex-Subedar (GD),
13th Battalion (IR-IX) NO.20005006,
Son of Lt. Dhian Singh,Village-Narwana Khas,
P.O. Yol, P.S. Narwana, Dharamshala,
District-Kangra, Himachaal Pradesh.

.....Petitioner(s).

Vs.

1 The State of Tripura,
Represented by the Secretary, Department of Home,

Government of Tripura, Civil Secretariat,
Capital Complex, Pin.799010,
Agartala, District-West Tripura.

2. The Director General of Police,
Police Head Quarter,
Fire Brigade Chowmuhani,
P.O.- Agartala, District-West Tripura,
Pin-799001, Tripura West.

3. The Enquiry Officer,
Commandant, 13th Battalion,
TSR (IR-IX), Subash Nagar, Kanchanpur,
North Tripura.

.....Respondent(s).

Along with
WP(C) No. 453 of 2024

Sri Krishna Shil (Enrolled Follower- Barber),
S/O Late Nitai Shil,
Resident of Chailengta, Fishari Para,
P.O. Chailengta, P.S. Fishari Para,
District-Dhalai Tripura.

.....Petitioner(s).

Vs.

1. The State of Tripura,
Represented by the Secretary, Department of Home,
Government of Tripura, New Secretariat Complex,
Gurkhabasti, P.O.-Kunjaban, P.S.- NCC,
Agartala, District-West Tripura.

2. The Director General of Police,
Police Head Quarter,
Fire Brigade Chowmuhani,
P.O.- Agartala, District-West Tripura.

3. The Deputy Inspector General of Police, AP(OPS-1),
Government of Tripura,
A.D Nagar, Agartala, West Tripura,
PIN-799003.

4. Commandant 5th Bn. TSR (IR-I),
Amarpur, Daluma,
District-Gomati Tripura.

5. Deputy Commandant 5th Bn. TSR(IR-I),
Amarpur, Daluma,
District-Gomati, Tripura.

6. Assistant Inspector General of Police,
Police Headquarters,
Fire Brigade, Chowmuhani,
Agartala 799001, District-West Tripura.

7. Shri Shasvat Kumar, IPS
Assistant Inspector General of Police,
Police Headquarters,
Fire Brigade Chowmuhani,
Agartala 799001, District- West Tripura.

8. Sri Carey Marak, IPS
Deputy Inspector General of Plice, AP(Ops-I)
A.D. Nagar,
Agartala, District West Tripura.

9. Sri Ananta Das,
5th Bn. TSR (IR-I),
Amarpur, Daluma,
District-Gomati, Tripura.

10. Sri Jaikishore Jamatia,
5th Bn TSR (IR-I),
Amarpur, Daluma,
District-Gomati Tripura.

.....Respondent(s).

For Petitioner (s)	:	Mr. D Bhattacharjee, Sr. Adv. Mr. S Bhattacharjee, Adv. Mr. S Das, Adv. Mr. S Talapatra, Adv.
For Respondent(s)	:	Mr. M Debbarma, Addl. GA.
Date of Hearing	:	26.06.2025
Delivery of judgment	:	26.06.2025
Whether fit for reporting	:	No

HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

JUDGMENT & ORDER (Oral)

26.06.2025

Heard learned counsel Mr. S Bhattacharjee in WP (C)
no.286 of 2024 and WP(C) no. 288 of 2024, Mr. D Bhattacharjee,

Ld. Sr. Counsel in WP(C) no. 453 of 2024, Mr. S Talapatra, Ld. Counsel in WP(C) no. 326 of 2024 and Mr. Samar Das, Ld. Counsel in WP(C) no. 325 of 2024 appearing for the petitioners and Mr. M Debbarma, learned Addl. GA appearing for the State-Respondents. Identical questions of facts and law being involved, all the appeals are heard together and are being disposed of by this common judgment.

[2] In WP(C)288 of 2024, on 17.05.2023 by issuance of a Memorandum, departmental proceeding was initiated against the petitioner, Sri Naresh Kumar, who was working at that time as a Havildar in 3rd Bn, TSR and he was asked to submit the written statement against the same. The relevant article of charge as framed against him is mentioned herein below:

"Article of charge No. 1

No.01080875 Havildar(Clerk) Naresh Kumar of 3rd Bn TSR is charged with violation of service rules. He has entered into transactions of money from his salary bank account which required due intimation to authority. He failed in intimating the same to the competent authority.

By the above act, he has violated service rules which amount to an act unbecoming of a government servant.

**Sd/- Illegible
(Narayan Roy Choudhury)
Commandant
3rd Bn Tripura State Rifles"**

[3] The statement of imputation as was annexed with article of charge reads as under:

"Article of charge No. 1

No.01080875 Havildar (Clerk) Naresh Kumar of 3rd Bn TSR made transfers/deposited in investment funds in between 2021 to 2023 without the knowledge of his controlling authority. Therefore his transactions were not related to domestic purposes.

He has thus, entered into transactions of money from his salary bank account which required due intimation to authority. He failed in intimating the same to the competent authority.

By the above act, he has violated service rules which amount to an act unbecoming of a government servant.

Sd/- Illegible
(Narayan Roy Choudhury)
Commandant
3rd Bn Tripura State Rifles"

The document to be relied on by the prosecuting authority as mentioned in the list of documents is a salary bank account statement of the petitioner for the period of 2021-2023. In the list of witnesses as annexed therewith, it was mentioned that none would be examined.

[4] In the departmental proceeding, no witness was examined on behalf of the prosecuting agency. Thereafter, the enquiring authority submitted the enquiry report (Annexure-16) with the following findings:

"6. Findings:-

During the course of enquiry self examined the available records and recorded the statements of the charged official.

On examination of the charged official it is revealed that his basic pay is Rs 42,200 (rupees forty two thousand two hundred) and on examination of the bank transaction statements as shown as exhibit mentioned above it is found that the charge official has the entered into the following transaction which exceeds his two months basic pay as under.

Sl. No	Date of Transaction	Amount	Debit/Credit to salary account
1	03.03.2022	Rs. 4,48,542/-	Credit
2	03.03.2022	Rs. 6,00,000/-	Debit
3	10.03.2022	Rs. 20,78,000/-	Debit
4	14.03.2022	Rs. 7,75,000/-	Credit
5	14.03.2022	Rs. 8,00,000/-	Debit
6	14.03.2022	Rs. 4,82,000/-	Credit
7	14.03.2022	Rs. 4,82,425/-	Debit
8	14.03.2022	Rs 8,00,000/-	Credit
9	14.03.2022	Rs 8,00,000/-	Debit
10	08.06.2022	Rs 90,000/-	Credit
11	08.06.2022	Rs 90,000/-	Debit
12	27.09.2021	Rs. 2,93,535/-	Credit

The charged official during his examination by the Enquiry Officer on 01.08.2023 stated that he did not inform

about the transaction of debit and credit in his Bank account to his authority. This implied that the Charged Official did not inform about the twelve nos of transactions mentioned above in his salary bank account where each transaction exceeds his two months basic pay and this act of the charged official violates the amended provision of Rule 18(3) of the CCS (Conduct) Rule, 1964 (copy enclosed for ready reference)

The charged official was given ample opportunity to defend his case and to refute the charge framed against him but he could not produce any document or record against the imputation made in the Article of charge.

Under the above facts and circumstances imputation made in Article of Charge-I is thus proved."

Thereafter, another memorandum was issued by disciplinary authority on 19.10.2023 (Annexure-23) to the petitioner mentioning that he violated provision of Rule 18 of Tripura Civil Services (Conduct) Rules, 1988 read with section 11(n) of TSR Act, 1983 and could not explain either the source or the nature of credit and finally proposed for punishment of dismissal from service.

[5] The petitioner of the instant case submitted representation against the said memorandum dated 19.10.2023, which was rejected and finally vide order dated 13.12.2023 (Annexure-26) penalty of dismissal from service was imposed on him. Against the same, the present petitioner preferred the appeal before the Appellate Authority and the Appellate Authority disposed of the same vide order dated 11.03.2024 (Annexure-28) with the following observations:

"6. AND WHEREAS, the contentions raised in the appeal petition have been thoroughly scrutinized. Based on the materials on record, it has been found that the proceedings were conducted as per laid down rules, principle of natural justice had been duly followed in letter and spirit and the punishment does not seem disproportionate when the service violations are seen in the light of large sums of

various non-treasury credit transactions and the negative impact of his actions on the morale and regimentation of the force. Hence, the points raised by the appellant through his appeal petition are found to be not having any merit.

7. NOW THEREFORE, after careful consideration of all related aspects including nature of frequency of violations, adequate opportunities provided to the appellant to put forward his defence, the contentions raised by the appellant in his representation and the scrutiny thereof, the appeal petition of Shri Naresh Kumar, Ex Hav(Clerk), 3rd Bn TSR is rejected and the order of the Disciplinary Authority issued No.13356/ F.Pers/ NK/ Estt/ 2001/ DP-02/ 2023 dated 13.12.2023 is upheld."

Challenging the same the present writ petition is filed.

[6] In WP(C) 286/2024, similarly a departmental proceeding was drawn against the petitioner, Sri. Manoj. M vide memorandum dated 16.05.2023 (Annexure-4) with similar charge that he had entered into transaction of money from his bank account which required due intimation to the authority but he failed in intimating the same to the competent authority. In this case also, the statement of salary account of the petitioner Sri. Manoj M. Havildar of 7th Bn. TSR for the period from 2021-2023 was annexed with the article of charge as document to be relied upon in the enquiry and no witness was proposed to be examined in the said enquiry.

[7] The enquiring officer in his report also held that the charge was proved. Thereafter, the disciplinary authority vide memorandum dated 13.10.2023 (Annexure-14) proposed penalty of dismissal from service of said petitioner and asked him to submit representation in this regard, if any, with further observation of alleged violation of Rule 18 of Tripura Civil Services (Conduct) Rule, 1988 read with Section 11(N) of TSR Act, 1983.

The petitioner duly submitted his representation on 08.11.2023 (Annexure-15) and finally vide order dated 15.12.2023 (Annexure-16) penalty of dismissal from service was imposed on him.

[8] He also preferred appeal thereafter which was similarly dismissed by the appellate authority vide order dated 13.03.2024 (Annexure-18) with similar observations as made in WP(C) No. 288/2024 in the following manner:

"6. AND WHEREAS, the contentions raised in the appeal petition have been carefully scrutinized. Based on the materials on record, it has been found that the proceedings were conducted as per laid down rules, principle of natural justice had been duly followed in letter and spirit and the punishment does not seem disproportionate when the service violations are seen in the light of large sums of manifold non-treasury credit transactions and the negative impact of his actions on the morale and regimentation of the TSR force. Therefore, the points raised by the appellant through his appeal petition are found to be devoid of merit.

7. NOW THEREFORE, after careful consideration of all relevant aspects including nature and frequency of violations, sufficient opportunities provided to the appellant to put forward his defence, the contentions raised by the appellant in his representation and the scrutiny thereof, the appeal petition of Shri Manoj M, Ex-Hav(Clerk), 7th Bn TSR is rejected and the order of the Disciplinary Authority issued No.02/ 2023/ TSR-7/ Estt/ DP/ 2023/ 12557-82 dated 15.12.2023 is upheld."

Thereafter, the writ petition is filed.

[9] In WP(C) No.325/2024, Havildar(Clerk), Rupesh Kumar Mishra of 12th Bn TSR was issued with a memorandum dated 16.05.2023 (Annexure-5) initiating departmental proceeding against him under the following article of charge:

"Article-1

Shri Rupesh Kr. Mishra, Havildar(Clerk), Regimental No.01080743 of "HQr" Coy, 12th Bn TSR(IR-VIII) is charged with violation of service rules. He has entered into transactions of money from his salary bank account which required due intimation to authority. He failed in intimating the same to the competent authority.

By the above act, he has violated service rules which amount to an act unbecoming of a government servant.

**Sd/- Illegible
(Ranaditya Das)
Commandant
12th Battalion TSR (IR-VIII)”**

[10] In this case also only the salary bank account statement of the petitioner for the period from 2021-2023 was proposed to be relied upon and no witness was examined. The petitioner duly submitted his written statement denying the allegations borne in the article of charge. Thereafter, the enquiry officer submitted his report vide the report dated 05.08.2023 (Annexure-35) holding that article of charge was proved against him. Thereafter, memorandum dated 11.10.2023 (Annexure 36) was issued by the disciplinary authority proposing dismissal from service to which the petitioner submitted his representation and ultimately vide order dated 12.12.2023 (Annexure-42), the Disciplinary authority imposed the penalty of dismissal from service of the petitioner. The petitioner also similarly preferred appeal before the appellate authority which was dismissed vide order dated 14.03.2024 (Annexure-44) with similar observations as were made in the earlier cases as mentioned above.

[11] In WP(C) No.326/2024 the charge was framed against the petitioner namely Birendra Singh of 13 BN, TSR with similar proposal to rely only on the salary bank account statement of the petitioner for the period from 2021-2023 with further proposal not to examine any witness in the case. The Article of charge is quoted hereunder:

"Article of charge No. 1

Shri Virendra Singh, Subedar (GD), 13th BN TSR is charged with violation of service rules. He has entered into transactions of money from his salary bank account which required due intimation to authority.

He failed in intimating the same to the competent authority.

By the above act, he has violated service rules which amount to an act unbecoming of a government servant."

[12] The petitioner denied the charge by filing written statement and ultimately, the enquiry authority vide report dated 2.8.2023 (Annexure B) held that the charge was proved and then vide memorandum dated 17.10.2023 (Annexure-4) the disciplinary authority proposed punishment of dismissal from service observing further that the petitioner had violated the provisions of Rule 18 of Tripura Civil Service (Conduct) Rules, 1988 read with section 11(n) of TSR Act, 1983.

[13] Thereafter, the petitioner duly submitted his representation and finally vide order dated 21.12.2023 (Annexure-7) the disciplinary authority imposed penalty of dismissal from service on him. The petitioner, thereafter, preferred an appeal and as reflected in paragraph 40 of the affidavit-in-opposition submitted by the Respondents, the appeal is still pending.

[14] In WP(C) No. 453/2024, similarly vide memorandum dated 16.05.2023 (Annexure-1) the departmental proceeding was initiated against the petitioner Sri. Krishna Shil, Enrolled Follower (Barber) of 5th Bn. TSR with the following charge of similar nature:

"Article of charge No. 1

No.20005252 E/F(Barbar) Krishna Shil of 'D' Coy 5th Bn TSR(IR-I) is charged with violation of service rules. He has

entered into transactions of money from his salary bank account which required due intimation to authority. He failed in intimating the same to the competent authority.

By the above act, he has violated service rules which amount to an act unbecoming of a government servant.

**Sd/-Illegible
Commandant 5th Battalion
TSR (IR-I)"**

[15] In this case was also no witness was proposed to be examined in the enquiry by the prosecuting authority and only salary account statement of the petitioner for the period from 2021-2023 was proposed to be relied on. The enquiry officer on completion of enquiry submitted his report dated 02.08.2023 (Annexure-17) with the findings that on the basis of documentary and oral evidences adduced during the enquiry ultimately the charge was proved. From the said enquiry report it reveals that the oral evidence was of the statement of charged official and not of any evidence of prosecution witness.

[16] The disciplinary authority vide memorandum dated 19.10.2023 (Annexure-18) proposed penalty of dismissal from service of the petitioner giving him an opportunity to submit representation. The disciplinary authority also observed violation of Rule 18 of Tripura Civil Services (Conduct) Rules, 1988 read with section 11(n) of TSR Act, 1983. The petitioner thereafter submitted his representation on 30.10.2023 (Annexure-19) and on consideration of the same disciplinary authority issued order dated 12.12.2023 (Annexure-20) by imposing penalty of dismissal from service upon the petitioner. The petitioner thereafter preferred appeal and the appellate authority also rejected the appeal vide

order dated 07.03.2024 (Annexure-22) with similar observation like other cases which is extracted hereunder:

"6. AND WHEREAS, the contentions raised in the appeal petition have been meticulously scrutinized. Based on the materials on record, it has been found that the proceedings were conducted as per laid down ruled, principle of natural justice had been duly followed in letter and spirit and the punishment does not seem disproportionate when the service violations are seen in the light of large sums of multiple non-treasury credit transactions and the detrimental impact of his actions on the morale and regimentation of the force. Therefore, the points raised by the appellant through his appeal petition are found to be devoid of merit.

7. NOW THEREFORE, after careful consideration of all relevant aspects including nature and frequency of violations, sufficient opportunities provided to the appellant to put forward his defence, the contentions raised by the appellant in his representation and the scrutiny thereof, the appeal petition of Shri Krishna Shil, Ex-Enrolled Follower, 5th Bn TSR is rejected and the order of the Disciplinary Authority issued vide No.41/TSR-V(IR-I)/Estt/DP/2022/6996-7001 dated 12.12.2023 is upheld."

[17] Challenging the said orders of the appellate authority as well as of the disciplinary authority, all the writ petitions are filed except case no. WP © 326 of 2024 where the appeal is still pending.

[18] Learned counsel of all the petitioners contend that no charge of any dis-proportionate asset was framed against the petitioners in any of the cases and even the charges as were framed in each case, are also vague and non-specific. But despite the same, major punishment was imposed upon the petitioners. Learned counsel for the petitioners also referred to the provisions of Section 11(n) of Tripura State Rifles Act, 1983 under which the punishment was proposed by the disciplinary authority to show that said violation/offence is categorized as less heinous offence in the Act itself, and therefore, according to the learned counsel,

such imposition of major punishment of dismissal was quite disproportionate and not tenable at law.

[19] Learned senior counsel, Mr. Bhattachajee, also further argued that the provisions of sub-rule (11) & (14) of Rule 14 of CCS (CCA) Rules, 1965 was not complied with by the enquiring authority as no oral or documentary evidence was proved from the side of the prosecution and therefore, the entire proceeding was vitiated thereby.

[20] According to the learned counsel of all the petitioners, the departmental authority ought to have exonerated the petitioners from any such charge and on failure on the part of the disciplinary authority, it was also incumbent upon the appellate authority to consider all these points as raised by the petitioners in their appeals, but the appellate authority rejected the appeals without having any discussions on the points as raised by the petitioners in the appeals.

[21] According to the learned counsel, it was the duty of the appellate authority to pass a reasoned order giving by due findings on each point as raised by the petitioners in their appeals but by a vague order bereft of any reasoning, the orders of the disciplinary authority were upheld. Even the appellate authority failed to consider the proportionality of the punishment as imposed by the disciplinary authority despite challenge being made in this regard referring Section 11(n) of Tripura State Rifles Act, 1983.

[22] Learned Addl. GA Mr. M Debbarma, on the other hand opposes the prayers of the petitioners referring to the averments made in the respective counter affidavits filed in these writ petitions and submits that from the above said transactions, as were proved in the disciplinary proceeding, it is quite clear that huge amount of transactions was made by each of the petitioners which hint at accumulation of disproportionate assets by them and therefore, the disciplinary authority was justified in imposing major punishment of dismissal from service as TSR is a disciplined force.

[23] This court has taken into consideration the rival submissions of the parties as well as the materials placed on the record, more particularly the order of the appellate authority. As indicated above, the charge was basically framed for not giving intimation to the appropriate authority regarding such bank transactions made by the petitioners and there was no whisper of any sort of allegation of accumulation or acquiring of disproportionate assets by them. It is also a fact that Section 11 (n) of Tripura State Rifles Act, 1983 is categorized as less heinous offences in the Act itself. It is also a fact that the challenge regarding proportionality of the punishment though raised before the appellate authority was not discussed by the said authority apart from the other points as raised in the respective appeals.

[24] The appellate authority is/was duty bound to pass a reasoned order on the points of challenge as raised by the

petitioners in the appeal but without considering the same and also without giving any findings on the point as raised by the petitioners the appeals were disposed of by way of rejection only with some bald observations that proceedings were conducted as per the established rules, principle of natural justice was also followed, and punishment did not appear to be disproportionate in the light of large sums of various non-treasury credit transaction and the negative impact of their action on the morale regiment of the force. This court is not satisfied in the manner as to how the disciplinary authority had dealt with all the appeals without discussing the grounds agitated in the appeals, while giving its decision. Hon'ble Supreme Court in the case of ***S.N. Mukherjee vs. Union of India, (1990) 4 SCC 594*** observed that except in cases where the requirement has been dispensed with expressly or by necessary implications, an administrative authority exercising judicial or quasi-judicial functions is required to record the reasons for its decision.

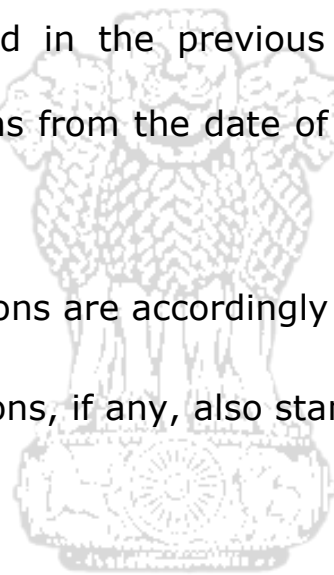
[25] In view of above, all the writ petitions are allowed. The orders passed by the appellate authority in above said petitions, as indicated above, except in case of WP(C) No. 326/2024 are consequently set aside and the matter is remanded back to the concerned appellate authority to decide the appeals afresh and to dispose of the same by reasoned orders after giving due consideration on the points of challenges as raised by them

therein. The appellate authority shall take endeavor to dispose of the appeals as expeditiously as possible preferably within two months from the date of receipt of copy of this judgment.

[26] So far WP(C) No. 326/2024 is concerned, it appears that the appeal is still pending before the appellate authority, and therefore, said writ petition is disposed with a direction to the concerned appellate authority to dispose of the said appeal in the similar manner as indicated in the previous paragraph no. 25, preferably within two months from the date of receipt of a copy of this judgment.

All the writ petitions are accordingly disposed of.

Interim applications, if any, also stand disposed of.



सत्यमेव जयते

JUDGE

SATABDI DUTTA

Satabdi

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