

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP (C) No. 2441/2025

1. UT of J & K through Applicant(s)/Petitioner(s)
Principal Secretary to Govt.,
Revenue Department, Civil Secretariat, Jammu.
2. Deputy Commissioner,
Udhampur.
3. Additional Deputy Commissioner,
Udhampur.

Through :- Mrs. Monika Kohli, Sr. AAG

v/s

Satyinder Singh, ...Respondent(s)
S/o Sh. Ram Krishan,
R/o Village Kanah, Tehsil Ramnagar,
District Udhampur.

Through :-

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE**

**ORDER (ORAL)
03.09.2025**

1. The impugned in this petition, filed under Article 226 of the Constitution of India by the UT of J & K and two others, is an order and judgment dated 07.11.2024 passed by the Central Administrative Tribunal, Jammu Bench, Jammu [**“the Tribunal”**] in OA No. 1277/2023 titled *“Satyinder Singh Vs. UT of J & K & Ors.”* whereby, the Tribunal while allowing the OA (supra) filed by the respondent has set aside the communication dated 15.05.2023 and directed the petitioners to treat the suspension period of the

respondent as on duty, and accordingly, grant him full pay and allowances.

2. The impugned judgment is challenged by the petitioners, primarily on the ground, that Regulation 108-B of the J & K Civil Service Regulations, 1956 [**“the Regulations”**] which was relied upon by the Tribunal was not attracted in the case for a reason that the respondent was not fully exonerated by the Enquiry Officer.
3. **Having heard learned counsel for the petitioners and perused the material available on record**, we are of the considered opinion that the judgment passed by the Tribunal is perfectly legal and in consonance with the law laid down by this Court in the case of *“Rajinder Singh Parihar Vs. High Court of J & K & Ors.”*, **2016 (3) JKJ 225 [HC]** and also provisions of the Regulations 108-B.
4. We have gone through the impugned communication in which the report of the Enquiry Officer has been produced and find that the charge against the respondent was dropped as the same could not be established during the course of enquiry. It is not a case where the respondent has been let off in the enquiry, giving him the benefit of doubt or by taking any lenient view in the matter. Full-fledged enquiry was conducted in which statements of witnesses were recorded and the offending video was perused. The Enquiry Officer, however, came to the conclusion that the allegation that the respondent was seen accepting bribe from the complainant was not fully established.

5. Viewed from any angle, the Enquiry Officer has fully exonerated the respondent of the charge and, therefore, the provisions of the Article 108-B of Regulations were clearly attracted. **For the foregoing reasons, we find no merit in this petition and the same, is accordingly, dismissed.**

(Sanjay Parihar)
Judge

(Sanjeev Kumar)
Judge

JAMMU
03.09.2025
Manan

Whether the order is speaking : *Yes/No*
Whether the order is reportable : *Yes/No*

