

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/S) No. 2274 of 2025

Praveen Saini

.....Petitioner

Versus

Hon'ble High Court of Uttarakhand and Another Respondents

Present:-

Mr. I.D. Paliwal, Advocate for the petitioner.

Mr. Vipul Sharma, Advocate for the respondents.

JUDGMENT

Hon'ble Ravindra Maithani, J. (Oral)

The challenge in this petition is made to the following:-

- (i) The order dated 20.08.2024, passed by the respondent no.2, District Judge/Disciplinary Authority, Dehradun, by which "censure" entry was given to the petitioner. And;
- (ii) Order dated 28.04.2025, passed in the departmental appeal, by which the appeal was dismissed.

2. Heard learned counsel for the parties and perused the record.

3. On 21.08.2023, one Gaurav Singh made a complaint against the petitioner that he had illicit relationship with the wife of the complainant, and under a conspiracy, on 14.08.2023, the complainant was called at court premises in Rishikesh, where the petitioner and the wife of the complainant had beaten him up, of which a report was lodged. A preliminary enquiry was conducted, in which the allegations of the complainant were found time. Thereafter, charge sheet was served on the petitioner levelling charges with regard to the misconduct that was done by him on 14.08.2023, and after final enquiry, it was concluded that, in fact, the charges have been proved. It is, thereafter, the District Judge, Dehradun, punished the petitioner

with “censure” entry. This “censure” entry was challenged in the departmental appeal, which was dismissed by the impugned order dated 28.04.2025.

4. Learned counsel for the petitioner submits that the Enquiry Officer has relied upon the CCTV footages, but they were incomplete. In his objections, in Paragraphs nos. 3, 4 and 6, the petitioner has stated that complete CCTV footages should have been seen, which would have made the actual position clear. It is also argued that the statement given by the petitioner has not been considered; the defence has not been taken into account while awarding the censure entry.

5. It is a writ petition challenging the punishment given in the departmental appeal. The scope is quite restricted. The Court cannot re-appreciate the material.

6. It may be noted that the petitioner is an employee in the Judgeship Court at the relevant time posted in the Rishikesh Court. In the final enquiry, the Enquiry Officer has not only considered the statements of the witnesses, he has also seen the CCTV footages and noted as to how the wife of the complainant was received by the petitioner, and, thereafter, there was a *marpeet*. FIR was lodged against the petitioner.

7. Learned counsel for the petitioner submits that the trial is pending, and a cross FIR was also lodged by the petitioner against Gaurav Kumar.

8. In the instant matter, on the complaint of Gaurav Kumar Singh, a fact finding enquiry was done. Thereafter, the satisfaction was recorded by the disciplinary authority that a final enquiry is to be conducted. As per rules, the final enquiry was conducted, and the petitioner was afforded an opportunity of hearing. He participated in the final enquiry. Having considered the statements of the witnesses and the electronic evidence, the Enquiry Officer concluded that the

charges have been proved, and it is only thereafter, the Disciplinary Authority had awarded censure entry.

9. No violation of any rules has been brought to the notice of the court. While following all the procedures, the entry has been awarded. In the appeal, in fact, the appellate authority records that only a minor penalty has been imposed upon the petitioner, which can be imposed even without issuing chargesheet.

10. Having considered, this Court does not see any reason to interfere in the matter. Accordingly, the petitioner deserves to be dismissed at the stage of admission itself.

11. The petition is dismissed *in limine*.

(Ravindra Maithani, J)
21.05.2026

Ravi Bisht