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

+ **W.P.(C) 11306/2016 and C.M. No. 44298/2016**

RAJESH SHUKLA Petitioner

Through: Mr. Sunil Goel, Advocate.

versus

DELHI POLICE & ANR Respondents

Through:

+ **W.P.(C) 11311/2016**

ATUL SOOD Petitioner

Through: Mr. Sunil Goel, Advocate.

versus

DELHI POLICE & ANR Respondents

Through:

+ **W.P.(C) 11312/2016 and C.M. No. 44309/2016**

RITU RAJ Petitioner

Through: Mr. Sunil Goel, Advocate.

versus

DELHI POLICE & ANR Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

17.07.2017

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1. The petitioners aforesaid assail the common order dated 23.08.2016 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (CAT/ Tribunal) in their respective Original Applications being O.A. No.1964/2015 (preferred by the petitioner Atul Sood), O.A. No.1967/2015

(preferred by the petitioner Rajesh Shukla) and O.A. No.4443/2014 (preferred by the petitioner Ritu Raj). The Tribunal, by the common impugned judgment, has dismissed the said three Original Applications. The petitioners had assailed similar orders passed against each of them, whereby they were censured on account of lapses.

2. The gravamen of charge against all the three petitioners was also similar. The petitioners Atul Sood and Rajesh Shukla, who were Inspector (Group-B) and Sub-Inspector (Group-C), were at the relevant time posted in the Sarojini Nagar area. They were incharge of maintaining security in the Sarojini Nagar Market during the festive season of Diwali. Similarly, the petitioner Ritu Raj, who was Inspector (Group-B) was posted at Saket and he was incharge of security in the Saket Market. In the light of the higher security risk perceived from terrorists, they were instructed to ensure proper measures by taking steps to prosecute the violators and drawing yellow strip along with the Tehbazaari, removal of iron stands, strengthen the public address system, etc. in the said markets. A surprise inspection was conducted at both the markets by the concerned superiors, who found several deficiencies in the discharge of their responsibilities by the petitioners. Consequently, they were issued show-cause notices and their replies were invited since it was proposed to impose minor penalty upon each of them. Each of the petitioners furnished their replies, which were considered and the petitioners were all censured by the Disciplinary Authority concerned.

3. The petitioners then preferred departmental appeals, which too were rejected.

4. The petitioners then approached the Tribunal by filing the aforesaid Original Applications. The Tribunal has not found any merit in them and dismissed the same by the impugned common order.

5. The submission of learned counsel for the petitioners is that each of them had taken requisite steps in terms of the directions issued to them and in view of the responsibility vested in them to provide protection in the said markets during the festive season.

6. We have perused the impugned order as well as the order passed by the Disciplinary Authority imposing punishment on each of the petitioners respectively. It was neither for the Tribunal, nor is it for us to make an assessment with regard to the lapses of each of the petitioners in the discharge of their responsibilities. It was entirely for the Disciplinary Authority and the Appellate Authority to do the same. A perusal of the orders passed by the said authorities shows that the punishment imposed upon the petitioners is premised on cogent material. Their respective lapses are set out in the respective orders passed against each of them.

7. In these circumstances, we are not inclined to interfere with the impugned order.

8. Dismissed.

VIPIN SANGHI, J

REKHA PALLI, J

JULY 17, 2017

B.S. Rohella