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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 858/2018 and CM APPL. Nos.3654-56/2018
SREERAJ K M Petitioner
Through: Mr. P. Sureshan, Advocate

versus

DIRECTOR GENERAL OF CISF & ORS. Respondents
Through: Mr. Dev P. Bhardwaj, CGSC with
Mr. Surender Kumar, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **30.01.2018**

1. The present petition has been filed by the petitioner, who is working on the post of Constable (GD) in the respondent No.1/CISF praying *inter alia* for quashing the charge memorandum dated 23.11.2017 issued against him, wherein he has been charged for establishing a relationship with a lady working as a CSA (Customer Service Assistant) in an airline at IGI Airport, New Delhi, for living with her as husband and wife and later on, refusing to marry her on the pretext that she is a divorcee.
2. The aforesaid charge memo has been issued on receiving a complaint from the lady concerned against the petitioner. The record reveals that the petitioner has filed a reply to the charge memo on 07.12.2017. Not satisfied with the said reply, vide order dated 23.12.2017, the competent authority has appointed an Enquiry Officer to enquire into the articles of charge framed against the petitioner. Aggrieved by the aforesaid decision, the petitioner has filed the present petition seeking quashing of the disciplinary proceedings.

3. Learned counsel for the petitioner submits that after the lady had filed a complaint against the petitioner with the respondent/CISF, he has instituted a civil suit for damages against her, which is pending before the competent court at Patiala House Court. Further, the petitioner has filed a complaint dated 09.11.2017 against the lady with the ACP, Mandir Marg, New Delhi.

4. The petitioner seeks quashment of the disciplinary proceedings on the ground that the allegation levelled against him do not warrant any disciplinary action and the Department ought to await the outcome of the civil suit instituted by him against the lady.

5. We are not impressed by the submissions made by learned counsel for the petitioner. Once the disciplinary proceedings have been initiated against the petitioner, it is for him to appear before the Enquiry Officer and produce all the relevant records and defence witnesses to establish that he is blemishless qua the allegations levelled against him. No ground is made out for interfering at this stage by quashing the disciplinary proceedings initiated against the petitioner at the instance of the complainant, which in our opinion, ought to be taken to its logical conclusion.

6. The petition is dismissed as meritless alongwith the pending applications.

HIMA KOHLI, J

REKHA PALLI, J

JANUARY 30, 2018

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