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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6076/2018 & CM APPL 23503-23504/2018**
IMRAN UMAR

..... Petitioner

Through Mr.S.S.Sastry, Advocate.

versus

DISTRICT & SSESSIONS JUDGE TIS HAZARI COURTS DELHI

..... Respondent

Through Mr.Ankur Chhibber, Advocate.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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30.05.2018

The writ petitioner is aggrieved by the imposition of the penalty pursuant to an inquiry held into his misconduct. He is currently working as a stenographer in the Office of District and Sessions Judge, Tis Hazari Courts, Delhi and was charged of misconduct for habitually being on leave and more seriously unauthorizedly taking print out of a partly dictated judgment and handing it over to the litigant. He was placed under suspension and an inquiry was initiated into the allegations. In the course of the inquiry not less than eight witnesses deposed against the petitioner; he relied upon the testimony of three witnesses. All the witnesses including the concerned judicial officer were consistent in their version that indeed the petitioner was guilty of the charges levelled and that he had taken the print out unauthorizedly. The inquiry officer therefore determined that the

petitioner was guilty. The Disciplinary Authority by a reasoned order imposed penalty to withhold two increments with cumulative effect which has thereafter reduced to withholding of one increment with cumulative effect by the Appellate Authority. The Court also notices that the petitioner has enjoyed the salary and allowances for the period under suspension i.e. w.e.f. 26.6.2010 to 06.10.2012.

Learned counsel for the petitioner urged that the imposition of the penalty in this case is excessive and withholding of one increment with cumulative effect has an adverse impact upon his long time/future pay and allowances. The Court is of the opinion that in the overall circumstances of the case, the petitioner has been given lenient treatment. Interest of justice demands that the Court should not interfere with the finding of guilt or the penalty imposed. Writ petition is therefore dismissed.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

MAY 30, 2018

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