

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(C) 12734/2018 & CM APPL. 49478 & 49479/2018

versus

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

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1. Exemptions allowed subject to all just exceptions.

2. The challenge in this petition is to the order dated 10th December 2016 passed by the disciplinary authority imposing on the Petitioner the punishment of seven days' pay cut or equivalent amount as fine as well as to the order dated 21st March, 2017 in appeal whereby the penalty was reduced to 2 days' pay cut or equivalent amount of fine. The further challenge is to

the order dated 28th September, 2017 of the Revisional authority upholding the order of the Appellate Authority.

3. The charge on which the Petitioner was proceeded against in the disciplinary inquiry was that he had permitted a passenger to enter into the security zone/ BMA (Baggage Managing Area) of T-3 Terminal of the IGI Airport without valid documents.

4. According to the Petitioner, he was already working beyond the stipulated working hours and was on continuous duty for six days, therefore, it is not his fault as he was obviously tired.

5. The Airport is a high security zone and entry into areas which are restricted has to be strictly monitored. The security of the airport is dependant on persons like the Petitioner to ensure this high level of safety. The lapse cannot therefore be termed as a trivial one at all.

6. Learned counsel for the Petitioner insisted that the CCTV footage of which was relied upon was not been supplied to him. Counsel for the Respondents on other hand points that the Petitioner did not ask for it.

7. Be that as it may, the Petitioner does not deny the lapse but only that it did not warrant an enquiry. The Court is unable to agree that the lapse did not call for disciplinary action.

8. Punishment for the above infraction which has been reduced to 2 days'

pay cut or equivalent fine can hardly to be said excessive or disproportionate.

9. No interference is called for. The petition is dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

NOVEMBER 28, 2018

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