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

+ W.P.(C) 6734/2018 & C.M. No. 25615/2018

UNION OF INDIA AND ORS. Petitioner

Through: Mr. A.S. Dateer, Advocate.

versus

KM. KHUSHBOO KUMARI Respondent

Through: Mr. R.K. Shukla, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

16.01.2019

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The Union of India has preferred this petition to assail the order dated 07.02.2018 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (CAT/ Tribunal) in O.A. No.2299/2016. It appears that the respondent was serving at the residence of Ms. Samidha Singh, Senior EDPM, Northern Railway Headquarters, New Delhi. During that period, some issue arose with regard to unauthorised leave etc. of the respondent. Ms. Samidha Singh acted as the complainant, and the Disciplinary Authority, and issued Charge Memo dated 30.04.2014 to the respondent under Rule 9 of the Railway Servants (Discipline and Appeal) Rules, 1968. She herself conducted the inquiry, and held the respondent guilty. She also proceeded to inflict the punishment of removal from service on the respondent.

In this background, the respondent approached the Tribunal and the

Tribunal has set aside the charge memo, the inquiry proceedings and the punishment order passed against the respondent.

The Disciplinary Authority could, obviously, not have been a judge in her own cause. In our view, there can be no ground to interfere with the impugned order. Thus, we are not inclined to interfere with the impugned order.

Dismissed.

VIPIN SANGHI, J

A. K. CHAWLA, J

JANUARY 16, 2019

B.S. Rohella