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

+ W.P.(C) 6348/2013 and C.M. Nos. 19929/2014 & 21925/2018

VINEETA TOMAR PANWAR Petitioner

Through: Ms. Aakanksha Kaul, Advocate along
with petitioner in person.

versus

UNION OF INDIA & ORS Respondents

Through: Ms. Abha Malhotra, Advocate along
with Mr. Naveen Bhagat, DC/CISF,
for the respondents.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

30.07.2019

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The petitioner has made the following prayers in the writ petition:

“(A) Issue a Writ of certiorari quashing of findings of the enquiry reports dated 12.01.2013 and 26.12.2012 submitted by the Complaint Committee on the Petitioner’s complaint of sexual harassment against Sh. R.K. Sharma Commandant ASG Amritsar and Sh. A.K. Dwivedi, Deputy Commandant ASG;

(B) Issue a Writ of certiorari quashing the Memorandum dated 28.08.2013 whereby an enquiry is sought to be initiated against the Petitioner on the basis of findings of the Complaints Committee which had held that the Petitioner’s complaints sexual harassment were not proved and had therefore recommended that strict disciplinary action should be initiated against her;”

Learned counsel for the petitioner, on instructions from the petitioner, who is present in Court, states that the petitioner does not press prayer (A) in the writ petition.

The matter had been heard on the last date and considering the past history of the case, it had been suggested that the charge memorandum dated 28.08.2013 issued to the petitioner for absence without leave may be dropped upon the leave period being regularised by the respondents.

We have heard learned counsels and we are happy to note that the parties have arrived at a settlement with regard to the manner in which the period of absence of the petitioner should be treated. It has been agreed between the parties that the period from 25.01.2012 to 21.02.2012; 02.03.2012 to 02.05.2012, and; 07.05.2012 to 12.05.2012 be regularised as “*Leave Without Pay*”. The period from 10.02.2012 to 24.01.2012; 22.02.2012 to 19.03.2012, as also; 03.05.2012 to 06.05.2012 be regularised by adjustment from the leave due to the petitioner as per rules.

Learned counsel for the respondents submits that the petitioner has Half Pay Leaves and Earned Leaves to her credit, and the period which is to be regularised from the leave due would be adjusted from the Half Pay Leaves and the Earned Leaves lying to the credit of the petitioner. This position, as aforesaid, is acceptable to the petitioner as well. Consequently, the memorandum of charge dated 28.08.2013 stands withdrawn by the respondents in the aforesaid terms.

The petition stands disposed of.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

JULY 30, 2019

B.S. Rohella