

\$~Suppl.-15

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

+ W.P. (C) 1704/2021, CM APPL. 4901/2021

MANISHA KUMARIPetitioner

Through: Mr.Onkar Roy, Advocate.

Versus

UNION OF INDIA & ANR.Respondents

Through: Mr.Amit Kumar with
Mr.Anshuman, Advocates with
Inspector Sanjay Kumar, CISF.

% Date of Decision: 16th February, 2021

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE ASHA MENON

J U D G M E N T

MANMOHAN, J (Oral):

1. Present writ petition has been filed challenging the order dated 30th January 2020 passed by the Respondents by which future increment in annual salary of the Petitioner was stopped for one year.
2. Learned counsel for the Petitioner states that the Petitioner who is an ASI in the CISF, received a Memorandum of Allegations, wherein the charges levelled against her were that the Petitioner refused to perform her duty and the Petitioner misbehaved with other lady staff members and used un-parliamentary language when the inspector enquired about her refusal. He points out that the Petitioner denied all the allegations.

3. A perusal of the file reveals that petitioner had submitted an 'Apology Letter' attached as Annexure P-10. The said 'Apology Letter' reads as under:-

*"To,
The Deputy Inspector General
CASO, CISF Unit, IGI, Airport
New Delhi-37.*

Subject: APOLOGY LETTER

With regard to office Memorandum No. 15014(19/20/Rule-37/Manisha Kumari/2019-302 dated 29.12.2019.

Allegation NO.1. To 3 levelled against me may please be removed. All things which mentioned in the order has been told by me in tense and depress condition due to domestic problems as I have two small children one is two years old and another is 10 months old who are fully depended upon me and my husband. There is no one in my family to look after the baby. However, we are compelled to manage the situation and looking after the baby anyhow by performing the duty in alternate shift by taking help of neighbors.

2. I supposed that I am performing the duty at T3 more than my fellows so I make request/pointed out.

3. Nevertheless, I realized later on that the all things which have been told during briefing are wrong. So I humbly request your good self to pardon me and free from the charge considering the situation arising before and my promotional career. Also regret for inconvenience cause.

5. I shall be obliged for this act of kindness, please.

Yours Sincerely

*No. 130410405
ASI/Exe Manisha Kumari
H-2, Coy, CISF Unit, IGI
Airport, New Delhi"*

4. Though the Petitioner had filed an Appeal and a Revision before the appropriate authorities, yet both were dismissed vide order dated 05th

June 2020 and 03rd September 2020 respectively. However, the Petitioner has not challenged those orders till date.

5. Consequently, keeping in view the aforesaid apology letter as well as non-challenge to the appellate and revisional orders, the present writ petition, being bereft of merit, is dismissed.

MANMOHAN, J

ASHA MENON, J

**FEBRUARY 16, 2021
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