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

\+ W.P.(C) 3596/2021

ANIL KUMAR SINGH ..... Petitioner
Through: Ms. Saahila Lamba, Advocate

versus

UNION OF INDIA & ORS. ..... Respondents
Through: Mr.Jagjit Singh, Sr.Standing Counsel
with Mr.Vipin Chaudhary, Advocate.

% Date of Decision: 19th March, 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 orders dated 28th February 2020, 25th June 2020 and 26th August 2020 passed by the Disciplinary, Appellate and Revisional Authorities respectively and as a consequence thereof to reinstate the petitioner in service along with all consequential benefits.

2. Learned Counsel for the Petitioner states that the Petitioner, a Head Constable with the Railway Protection Force (RPF) was issued a charge sheet dated 27th November 2019 for holding an inquiry against him under Rule 153 of RPF Rules on five charges. She states that the Petitioner denied the charge(s) against him pursuant to which a departmental inquiry was initiated against him. She states that the Inquiry Officer wrongly indicted the petitioner of all the five charges. She further states that vide order dated

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28th February 2020, the Disciplinary Authority agreed with the findings of the Inquiry Officer and imposed the harshest punishment of dismissal from service. She also states that vide order dated 25th June 2020, the appeal of the Petitioner was mechanically rejected by the Appellate Authority and vide order dated 26th August 2020, the revision petition of the Petitioner was also rejected.

3. She emphasises that during investigation, Ashutosh Pavgi had stated that he had made a video under pressure and therefore the video could not have been relied upon by the inquiry officer.

4. Having perused the paper book, this Court finds that the petitioner is virtually asking this Court to re-appreciate the entire evidence, which is not permissible in writ jurisdiction.

5. This Court finds that the petitioner was given reasonable opportunity to defend himself during the inquiry proceedings. The fact that the petitioner had been punished nineteen times in the past, as mentioned by the Revisional Authority, proves that petitioner's conduct had not been good in service. As the petitioner is a member of a disciplined force, this Court is of the view that he is not entitled to any relief.

6. Consequently, the present writ petition is dismissed.

MANMOHAN, J

ASHA MENON, J

MARCH 19, 2021
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