



WEB COPY



W.P.No.1771 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

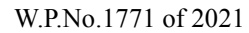
W.P.No.1771 of 2021 and
W.M.P.No.1980 of 2021

Biplab Roy

... Petitioner

Vs.

- 1.The Special Director General,
Airport Sector Head Quarters,
Central Industrial Security Force,,
CGO Complex, Lodhi Road,
New Delhi 110 003.
- 2.The Inspector General, APS-II,
South West Head Quarters,
Central Industrial Security Force,
Airport Security Group,
Kempegowda International Airport,
Bengaluru 560 300.
- 3.The Deputy Inspector General / AP-SZ,
Central Industrial Security Force,
South Zone, Head Quarters,
Rajaji Bhavan, Besant Nagar,
Chennai 600 090.
- 4.The Deputy Inspector General,
Central Industrial Security Force Unit,
ASG, Kempegowda International Airport,
Bengaluru 560 300.





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14014/APS/REV.07/BR/LC/2020-7297 dated 14.09.2020 and confirmed the order of the second respondent in his order No.V-15019/APS-II/Disc/Apl-(05/19)-BR/2019/6640 dated 19.09.2019 and modifying the order of the third respondent in his order No.V-15019/L&R/APSZ/Disc/Maj-04/BP/2019/4044 dated 29.07.2019 and quash the same and to direct the respondents to provide all consequential service cum monetary benefits with arrears.

2. Heard Mr.R.Thiyagarajan, learned counsel for the petitioner and Mr.Rajesh Vivekananthan.R, learned Special Panel Counsel for the respondents.

3. The petitioner joined as Sub-Inspector and he has been given with certain charges and upon which, a disciplinary proceedings have been initiated and he was found guilty. For the proved charges, the petitioner has been imposed with the punishment of removal from service by the third respondent. The petitioner filed an appeal to the second respondent and the appellate authority has considered the appeal and



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reduced the punishment from removal from service to reduction by three stages with cumulative effect. The petitioner has also filed a revision petition before the first respondent and the first respondent confirmed the order of the appellate authority on 14.09.2020.

4. The learned counsel for the petitioner submitted that the petitioner did not have any *malafide* intention, but the delay in handing over the article is misconstrued as *malafide* intention on the part of the petitioner. He further submitted that the petitioner's past services have not been properly appreciated while imposing the punishment of reduction of three stages with cumulative effect.

5. The respondent also did not deny the fact that the petitioner did not have any previous punishment so far. At the time when the charge memo has been issued to the petitioner he has completed 22 years of service and totally as on today, the petitioner has put up 26 years of service. Excepting the isolated one disciplinary proceedings, the petitioner has not been found fault with any other lapses so far. So



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without getting into the merits of the factual appreciation but only considering the past trap records of the petitioner in a sympathetic manner, I feel the punishment imposed by the appellate authority and confirmed by the revisional authority could be modified to the effect that reduction of three stages without cumulative effect.

6. With the above observations, this Writ Petition is disposed. No costs. Consequently, connected miscellaneous petition is closed.

22.03.2024

Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

To

1.The Special Director General,
Airport Sector Head Quarters,
Central Industrial Security Force,,
CGO Complex, Lodhi Road,
New Delhi 110 003.

2.The Inspector General, APS-II,
South West Head Quarters,
Central Industrial Security Force,
Airport Security Group,



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Kempegowda International Airport,
Bengaluru 560 300.

R.N.MANJULA, J.

gsk

3.The Deputy Inspector General / AP-SZ,
Central Industrial Security Force,
South Zone, Head Quarters,
Rajaji Bhavan, Besant Nagar,
Chennai 600 090.

4.The Deputy Inspector General,
Central Industrial Security Force Unit,
ASG, Kempegowda International Airport,
Bengaluru 560 300.

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W.M.P.No.1980 of 2021

5.The Senior Commandant,
Central Industrial Security Force Unit,
10th Reserve Battalion,
Arakkonam, Ranipet District 631 152.

6.The Deputy Commandant,
Central Industrial Security Force Unit,
STPP, Simhadri,
Post - Deepanjali Nagar,
Visakhapatnam, Andhra Pradesh 531 020.

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