



2024:DHC:9966-DB



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

+ **W.P.(C) 9216/2024 & CM APPL. 37754/2024**

GOVT OF NCT OF DELHI AND ORSPetitioners

Through: Mrs. Avnish Ahlawat, SC with
Mr. Nitesh Kumar Singh, Ms. Laavanya
Kaushik, Ms. Aliza Alam and Mr. Mohnish
Sehrawat, Advs.

versus

SH RAJESH KUMAR BALARARespondent

Through: Mr. Suresh Sharma, Adv.

+ **W.P.(C) 10730/2024 & CM APPL. 44161/2024**

GOVT OF NCT OF DELHI AND ORSPetitioners

Through: Mrs. Avnish Ahlawat, SC with
Mr. Nitesh Kumar Singh, Ms. Laavanya
Kaushik, Ms. Aliza Alam and Mr. Mohnish
Sehrawat, Advs.

versus

SMT SUPRITEE KULSHRESHTHARespondent

Through: Mr. Suresh Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

JUDGMENT (ORAL)

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23.12.2024

C. HARI SHANKAR, J.

1. The respondents in these writ petitions were working as Trained



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Graduate Teachers¹ under the Directorate of Education². They were served with charge sheets under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, proposing to initiate disciplinary proceedings against them. The charge sheet was issued by the Deputy Director of Education³. An enquiry was conducted, which culminated in the DDE imposing, on the respondents, the punishment of reduction of pay by three stages till retirement. Statutory appeals, preferred against the said decision under Rule 23 of the CCS(CCA) Rules were rejected by the Secretary (Education), Government of National Capital Territory of Delhi⁴, as the appellate authority. The secretary reduced the punishment to reduction in pay by one stage till retirement.

2. Similar action was taken against Udal Singh, another TGT, working under the DOE.

3. The respondents, along with Udal Singh, instituted Original Applications before the Central Administrative Tribunal, New Delhi⁵, challenging the authority of the DDE to act as Disciplinary Authority⁶.

4. The Tribunal, by a common judgment dated 1 December 2023, allowed all the Original Applications, holding the DDE to have been incompetent to act as the DA.

¹ "TGT" hereinafter

² "DOE" hereinafter

³ "DDE" hereinafter

⁴ "GNCTD" hereinafter

⁵ "Tribunal" hereinafter

⁶ "DA" hereinafter



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5. The GNCTD has approached this Court against the said decision.

6. WP (C) 15643/2024⁷, which assailed the impugned judgment dated 1 December 2023, *qua* Udal Singh, already stands dismissed by this Court *vide* judgment dated 14 November 2024⁸.

7. We have heard Mr. N.K. Singh, learned Counsel for the petitioner. He is unable to distinguish the present writ petitions from *Udal Singh*.

8. Inasmuch as (i) the situation of the respondents in the present petition is identical to that of Udal Singh, (ii) the judgment rendered by the Tribunal was common and (iii) the writ petition filed by the GNCTD against the said judgment, *qua* Udal Singh, stands dismissed, these writ petitions must suffer a similar fate.

9. Accordingly, following the judgment in *Udal Singh*, these writ petitions are also dismissed with no order as to costs.

C. HARI SHANKAR, J.

ANOOP KUMAR MENDIRATTA, J.

DECEMBER 23, 2024/ar

[Click here to check corrigendum, if any](#)

⁷ GNCTD v Udal Singh
⁸ 2024 SCC Online Del 7987