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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1528/2020 & CM APPL. 5353/2020**
RAGHUBIR SINGHPetitioner
Through: Mr. Abhishek Sharma and Ms.
Muskan Jain, Advocates.
versus
DELHI TOURISM AND TRANSPORTION
DEVELOPMENT CORPORATIONRespondent
Through: Mr. Uday Seth, Advocate.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **28.07.2025**

1. The petitioner has filed this writ petition seeking the following reliefs:

“i) issue an appropriate writ, order or direction quashing and setting aside the impugned suspension order dated 12.06.2019 and extension of suspension orders dated 09.09.2019 & 09.12.2019 alongwith charge sheet dated 01.11.2019 and proceedings emanating from it and Illegal Recovery of Rs 60316/- from the salary September and October 2019 passed by respondent;

ii) issue directions to Respondent and Department of Excise, Entertainment and Luxury Tax, Govt. of NCT of Delhi to reinstate the Petitioner forthwith by revoking suspension orders and;

iii) issue directions to Respondent and Department of Excise, Entertainment and Luxury Tax, Govt. of NCT of Delhi to treat the period spent on suspension by petitioner as period spent on duty and grant consequential benefits;

iv) Pass such further and other orders and directions as this Hon'ble Court may deem fit and proper.”

2. It is the admitted position that, during the pendency of the petition, the chargesheet dated 01.11.2019 culminated in a disciplinary order dated 20.12.2021. By the said order, the petitioner was subjected to a penalty of reduction to a lower stage in the time scale of pay by one scale for one



year, with cumulative effect. The disciplinary order has not been placed on record, but a copy has been handed up by Mr. Abhishek Sharma, learned counsel for the petitioner, and is taken on record.

3. It is the submission of Mr. Uday Seth, learned counsel for the respondent, that this order was also assailed in a departmental appeal and was rejected by order dated 12.07.2022. Mr. Sharma states that he has no instructions with regard to the filing of the appeal.

4. However, I find that these facts are reflected in the orders of this Court dated 09.11.2022 and 21.11.2022 in the present writ petition. The order dated 09.11.2022 reads as follows:

“1. The petitioner has approached this Court inter alia assailing the suspension order dated 12.06.2019 as also all the consequential orders vide which his suspension was extended. The petitioner has also assailed the charge sheet dated 01.11.2019 pursuant whereunto disciplinary proceedings were initiated against him.

2. It is the admitted case of the petitioner that a final order against him has been passed in the disciplinary proceedings and in fact his departmental appeal has also been rejected. In these circumstances, it has been put to the learned counsel for the petitioner as to how the present petition would be maintainable. He prays for time to make submissions.

3. At request, list on 21.11.2022.”

5. On 21.11.2022, the Court noted the submission on behalf of the petitioner that despite the final order having been passed and appeal being rejected, his challenge to the chargesheet would survive. He was granted one week time to cite judgments in favour of this proposition. No judgments have been placed on record and none has been cited by Mr. Sharma even today.

6. It is also the admitted position that the petitioner has since superannuated on 30.04.2023.



7. Mr. Sharma submits that the writ petition is required to be heard on merits, inasmuch as the chargesheet itself was assailed in this petition, in addition to the order of suspension dated 12.06.2019 and orders of extension of suspension dated 09.09.2019 and 09.12.2019.

8. Having heard learned counsel for the parties, I am of the view that no substantial question remains for adjudication in this writ petition. To the extent that the petitioner's challenge was to orders of suspension and extension of suspension, those do not survive the culmination of the disciplinary proceedings and his superannuation. To the extent that the petitioner's challenge was to the chargesheet, the petitioner was not granted any interim relief during the subsistence of the writ petition. Consequently, it was open to him to raise all objections to the chargesheet in the disciplinary proceedings. Those proceedings have already culminated in an order of penalty, and his appeal has also been rejected.

9. The writ petition is, therefore, disposed of, leaving it open to the petitioner to take such steps, as may be available to him, with regard to the final order in the disciplinary proceedings.

10. Mr. Seth submits that any challenge to the disciplinary order now would be much belated. All rights and contentions of the parties are, therefore, left open in the event the order is challenged.

11. The writ petition, alongwith the pending application, is disposed of in view of the aforesaid.

PRATEEK JALAN, J

JULY 28, 2025

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