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

\+ **W.P.(C) 7590/2023 & CM APPL. 57735/2024**

PRAVEEN KUMAR SHARMA .....Petitioner

Through: Mr. Malaya Kumar Chand and Ms. Aanchal, Advs.

versus

DELHI JAL BOARD THROUGH ITS CEO .....Respondent

Through: Ms. Sangeeta Bharti, SC for DJB with Ms. Anju Shree Nair, Ms. Archana Kumari, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE MADHU JAIN

ORDER

% **26.11.2025**

1. This petition has been filed, challenging the Order dated 12.12.2022 passed by the learned Central Administrative Tribunal (Principal Bench), New Delhi (hereinafter referred to as the 'Tribunal') in OA 2692/2016, titled ***Praveen Kumar Sharma v. Chief Executive Officer Delhi Jal Board***, whereby the learned Tribunal had rejected the petitioner's challenge to the order passed by the Disciplinary Authority, as also the orders passed by the Appellate Authority and the Revisionary Authority, by holding as under:

> *"11. We have gone through the records of the case thoroughly and heard the arguments of both parties carefully. From the records of the case, it has been proved by the IO that Shri Praveen Kumar Shama recovered the amount of Rs. 75,256/- on 31.3.2008 from the consumers of six water connections. He did*

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not deposit the said amount in Delhi Jal Board Treasury on the same date. Instead, he deposited six cheques from a closed account of HDFC Bank on 31.3.2008. The cheques were subsequently bounced and the Corporation Bank informed about the boucing of the cheques to Delhi Jal Board. Subsequently, Shri Praveen Kumar Sharma voluntarily deposited the cash against the bounced cheques along with a penalty of a 20% interest.

16. A perusal of the Inquiry Report shows that the Inquiry Officer has conducted the inquiry as per due procedure. The Charged Official (CO) was given adequate opportunity to defened his case. He preferred not to adduce any evidence in the form of oral or documentary evidence in support of his case. We find no infirmity in the report of the Inquiry Officer, though the report was worded in a concise manner. Similarly, we do not find any infirmity in the orders of the Appellate and Revisionary Authorities."

2. At the outset, the learned counsel for the respondent has drawn our attention to the Orders dated 29.05.2023 and 14.05.2024, to contend that although the petitioner admittedly did not assail the authority of the officer who had issued the chargesheet before the disciplinary authority, the appellate authority, the revisionary authority, or even before the learned Tribunal, notice was nevertheless issued in this petition on the said plea. She submits that this plea was not taken even in the writ petition, but has been contended in the rejoinder along with some documents filed as additional documents. She further submits that as the learned Tribunal did not have the occasion to deal with this submission, it would be in the fitness of things that the matter be remanded back

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to the learned Tribunal.

3. Though the learned counsel for the petitioner vehemently submits that he has now filed the relevant documents and circulars along with the synopsis of arguments, we find merit in the submission made by the learned counsel for the respondent.

4. The plea raised by the petitioner could not be examined by the learned Tribunal as it was not taken before it. We would not like to become the Court of first instance to adjudicate on this challenge.

5. Accordingly, we set aside the Impugned Order dated 12.12.2022 passed by the learned Tribunal and restore back the O.A. to its original number.

5. The petitioner shall file an additional affidavit before the learned Tribunal and place on record his case with respect to the alleged lack of authority of the officer who had issued the chargesheet. The respondent shall have the opportunity to respond to the same.

6. The parties shall appear before the learned Tribunal on 18.12.2025 for seeking necessary directions in the above terms.

7. The writ petition is disposed of in the above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

NOVEMBER 26, 2025
g.joshi/k/VS

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