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

+ **W.P.(C) 6255/2025 and CM APPL.28552/2025 (Stay)**

BASANT KUMAR CHATURVEDI

.....Petitioner

Through: Mr. Manish Kumar Choudhary, Mr. Ashutosh Kumar, Ms. Namita Choudhary, Ms. Srishti Choudhary and Ms. Shefali Choudhary, Advocates.

versus

STATE TRADING CORPORATION OF INDIA LTD AND ORS.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **09.05.2025**

CM APPL.28553/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 6255/2025

3. The petitioner is an employee of the State Trading Corporation of India Ltd/respondent no. 1 and has filed the present petition being aggrieved with the final inquiry report dated 28.03.2025 of the Internal Complaints Committee (ICC) constituted by the respondent no.1, consequential office order No. PD:07/2025 dated 09.04.2025 and order dated 25.04.2025 passed by the Appellate Authority.
4. Vide the final inquiry report dated 28.03.2025, the ICC found the petitioner guilty of allegations levied upon him by the respondent No.2 and



recommended to punish the petitioner by immediately transferring him from Delhi (C.O) to a distant location and also to issue a warning letter to improve his conduct.

5. Subsequently, an office order dated 09.04.2025 was issued by the respondent no.1 transferring the petitioner to the Representative Office, STC, Kolkata. An appeal was filed by the petitioner in terms of the applicable provisions against the recommendations made *vide* Final Inquiry Report dated 28.03.2025.

6. A perusal of the appeal indicates that factual and legal contentions were made therein including allegations as regards infraction of principles of natural justice during the course of the inquiry and also other procedural aberrations.

7. It is submitted by the learned counsel for the petitioner that the Appellate Authority has disposed of the appeal in a cryptic manner without even taking note of various contentions made by the petitioner. The Appellate Authority did not even afford an opportunity of hearing to the petitioner.

8. In the circumstances, the order dated 25.04.2025 passed by the Appellate Authority is set aside and the matter is remanded back to the Appellate Authority for fresh consideration.

9. The Appellate Authority shall pass a reasoned order in accordance with law after taking into account the contentions of the petitioner. The Appellate Authority shall provide an opportunity of hearing to the concerned parties.

10. At this stage, learned counsel for the petitioner submits that during the pendency of the matter before the Appellate Authority, the transfer order



issued *qua* the petitioner be kept in abeyance. Let the said request be considered and decided by way of a reasoned order by the Appellate Authority. Let the same be done within a period of 3 weeks from today. Let the appeal also be disposed of as expeditiously as possible. In case the petitioner is aggrieved therewith, he shall be at liberty to avail appropriate remedies under law.

11. The present petition is disposed of in the above terms.

SACHIN DATTA, J

MAY 9, 2025/at