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

Date of decision: 13.10.2025

+ W.P.(C) 12644/2022
SHRI RAJESH KHANNAPetitioner
Through: Mr. Rajeev Sharma, Adv.
(through v/c)

versus

LT GOVERNOR OF DELHI & ANR.Respondents
Through: Mr. Yeeshu Jain, ASC with Ms.
Jyoti Tyagi, Mr. Bhuvan Raj
Seth, Ms. Vishruti Pandey,
Advs. for R1
Ms. Manisha Tyagi, SC with
Mr. Puneet Kumar Duggal,
Adv.

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

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed, challenging the Order dated 01.06.2022 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 2318/2019 titled, ***Sh. Rajesh Khanna v. Lt. Governor of Delhi and Anr.***, dismissing the O.A. filed by the petitioner herein as being devoid of any merit.

2. The petitioner had filed the above O.A. *inter alia* challenging the order dated 16.10.2018 passed by the Disciplinary Authority



visiting the petitioner with the penalty of reduction in pay by five stages in the time scale of pay for a period of three years with cumulative effect. The appeal filed there against by the petitioner was rejected by the Appellate Authority *vide* order dated 24.07.2019, which order was also in challenge before the learned Tribunal.

3. The learned Tribunal, by its Impugned Order, has dismissed the O.A. filed by the petitioner, *inter alia* observing therein that as there is no specific prayer made by the petitioner in the O.A. challenging the report of the Inquiry Officer, the challenge to the same cannot be gone into. The learned Tribunal has further speciously also discussed the limited jurisdiction that the learned Tribunal exercises while considering the challenge to the disciplinary proceedings, however, without specifically adverting to the challenge of the petitioner thereto.

4. We are unable to agree with the above approach of the learned Tribunal.

5. As far as the challenge to the Inquiry Officer's report is concerned, once the petitioner challenges the order of the Disciplinary Authority, which has been passed on the Inquiry Officer's report, the petitioner is not to separately challenge the Inquiry Officer's report; the challenge to the order of the Disciplinary Authority would entail a challenge to the findings of the Inquiry Officer on whose report the disciplinary authority has passed the order of penalty.

6. As far as the limited jurisdiction which the learned Tribunal exercises while considering a challenge to the disciplinary proceeding, while there can be no cavil in law to the said proposition, however, the



learned Tribunal in the present case has not discussed the challenge laid by the petitioner to the disciplinary proceedings. The law is to be applied to the facts of a case and therefore, it was expected of the learned Tribunal to at least discuss the challenge laid by the petitioner to the disciplinary proceedings and give reasons why the learned Tribunal feels that the same would not fall within the limited jurisdiction of the learned Tribunal within which it can interfere with the disciplinary proceedings. The Impugned Order, in fact, would fall in the category of an unreasoned order of dismissal of the O.A..

7. For the reasons stated hereinabove, the Impugned Order of the learned Tribunal is hereby set aside. The O.A. is restored back to its original number. The parties shall appear before the learned Tribunal on 19th November, 2025.

8. Keeping in view that the O.A. was filed in year 2019, we request the learned Tribunal to dispose of the same within a period of six months of its first listing.

9. The petition is allowed in the above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

OCTOBER 13, 2025/ys/k/ik