



2025:DHC:8806-DB



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

+ **W.P.(C) 15672/2022**

GIRISH SINGH

.....Petitioner

Through: Mr. G.S. Virk, Mr. Basab Sengupta and Mr. Suneet Kumar Aggarwal, Adv.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Ravinder Agarwal, Mr. Manish Kumar Singh, Mr. Vasu Agarwal and Mr. Lekh Raj Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

% **25.09.2025**

C. HARI SHANKAR, J.

1. Among other contentions which have been highlighted by Mr. Sengupta, learned Counsel for the petitioner, is the contention that the orders dated 25 May 2011, 1 December 2011, 2 July 2013 and 26 February 2021 do not contain independent reasons and have merely agreed with the findings of the Inquiry Officer.

2. We accordingly dispose of this writ petition in the following terms, with consent of learned Counsel:

(i) The orders dated 25 May 2011, 1 December 2011, 2 July 2013 and 26 February 2021 are quashed and set aside.



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(ii) The petitioner shall be permitted to file a fresh representation in response to the findings of the Inquiry Officer within a period of two weeks from today to the Disciplinary Authority. The petitioner would be afforded an opportunity of hearing before the Disciplinary Authority on 13 October 2025 at 11 am. The Disciplinary Authority would pass a reasoned and speaking order on the representation of the petitioner and re-examine the aspect of the culpability of the petitioner and the penalty, if any, to be awarded to the petitioner in the event that he is found culpable. We make it clear that we have not expressed any opinion on the merits of the matter and the matter would be entirely within the realm of the Disciplinary Authority.

(iii) In the event that the decision of the Disciplinary Authority is adverse to the petitioner, his remedies in law would remain reserved.

(iv) As we are setting aside the order of compulsory retirement, the petitioner would be reinstated in service. However, he shall continue to remain under deemed suspension from the time of passing of the original order subject to the orders to be passed by the Disciplinary Authority.

(v) For the present, there shall be no recoveries of the amounts paid to the petitioner by way of pension. However, this would remain subject to the outcome of the decision of the



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Disciplinary Authority.

(vi) The *de novo* order be passed by the Disciplinary Authority positively within two weeks from the date of personal hearing.

(vii) We clarify that while the petitioner would be entitled to Subsistence Allowance from today till the date when the Disciplinary Authority passes his order, the entitlement of the petitioner to retain the pension which he has drawn consequent to the order of compulsory retirement w.e.f. 2011 shall remain subject to the outcome of the decision to be taken by the Disciplinary Authority. Learned Counsel for the petitioner, on instructions, undertakes to this effect.

3. The petition is disposed of in the aforesaid terms.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

SEPTEMBER 25, 2025/AR