



2025:DHC:7028-DB



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

Date of decision: 19.08.2025

+ **W.P.(C) 12474/2025**

**DELHI STATE INDUSTRIAL AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD (DSIIDC) AND
ORS**Petitioners

Through: Ms.Ruchika Rath and
Mr.Aatish Sharma, Advs.

versus

KRISHAN KANT GUPTARespondent

Through: None

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

CM APPL. 50934/2025 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 12474/2025 & CM APPL. 50933/2025

2. This petition has been filed by the petitioners, challenging the Order dated 25.03.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the, 'Tribunal') in O.A. No. 184/2019, titled ***Krishan Kant Gupta v. Delhi State Industrial & Infrastructure Development Corporation Limited (DSIIDC) & Ors.***, allowing the O.A. filed by the respondent herein with the following directions:

“(a) Impugned order dated 29.07.2016 and



order dated 16.01.2018 of the respondents are quashed and set aside.

(b) Respondents are directed to reinstate the applicant back in service with all consequential benefits including back wages, promotion, seniority etc. as soon as possible but not later than 03 (three weeks) from the date of receipt of a certified copy of this order."

3. The respondent joined the post of Division Accounts Officer (DAO) with the petitioners on 02.01.2015. He was on probation for a period of two years from the date of his joining. The Appointment Letter stated that his services were liable to be terminated at any time without assigning any reason.

4. The respondent was issued various Show-Cause Notices and Memorandums during the period of his service, and taking account of the same and finding that his services were not satisfactory, the petitioners terminated the services of the respondent *vide* Order dated 29.07.2016.

5. Aggrieved of the same, the respondent had filed the above O.A. before the learned Tribunal.

6. The learned Tribunal, in the Impugned Order, has held that the Termination Order is stigmatic and punitive in nature, being based on allegations of misconduct; it, therefore, cannot be termed as a termination order simpliciter, which is non-stigmatic in nature. The learned Tribunal has, therefore, set aside the Impugned Termination Order and passed the above directions.

7. The learned counsel for the petitioners submits that the services of the respondent being on probation and found to be unsatisfactory



with various Show-Cause Notices and Memorandums issued against him, the petitioners have terminated the services of the respondent exercising its powers under the Appointment Order, which allowed the petitioners to terminate the services of the respondent without assigning any reason. She submits that the learned Tribunal has, therefore, erred in setting aside the Termination Order.

8. We are unable to accept the submission made by the learned counsel for the petitioners.

9. A reading of the Termination Order clearly shows that it is stigmatic and punitive in nature. It alleges various acts of indiscipline against the respondent.

10. In our view, therefore, the learned Tribunal, by rightly placing reliance on the Judgment of the Supreme Court in ***Dipti Prakash Banerjee v. Satyendra Nath Bose National Centre For Basic Sciences, Calcutta & Ors.***, 1999 (3) SCC 60, has set aside the Order which has been passed without holding a departmental inquiry on the allegations against the respondent.

11. We, therefore, find no infirmity in the Order passed by the learned Tribunal.

12. The petition along with the pending application is, accordingly, dismissed.

NAVIN CHAWLA, J

MADHU JAIN, J

AUGUST 19, 2025/sg/ik