



2026:DHC:4895-DB



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

+ **W.P.(C) 6782/2026 & CM APPL. 33293/2026**

RINKU DHUGGA

.....Petitioner

Through: Mr. Karan Bharihoke and Mr.
Argha Roy, Advs.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Mukul Singh, CGSC with
Mr. Aryan Dhaka and Mr. Vikrant Badesra,
Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

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26.05.2026

C. HARI SHANKAR, J.

1. OA 681/2024 was instituted by the petitioner challenging disciplinary proceedings initiated against her pursuant to Memorandum dated 27 February 2023. The petitioner assailed the disciplinary proceedings both on the ground that they had been instituted by an incompetent authority as well as on merits.

2. The Central Administrative Tribunal¹, by judgment dated 7 May 2025, allowed the OA on the first ground, i.e., that the charge-sheet had been issued by an incompetent authority and, therefore, did not proceed to examine the challenge to the disciplinary proceedings on merits.

¹ "Tribunal" hereinafter



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3. Against the said decision, the UOI approached this Court by way of WP (C) 14025/2025. This Court allowed the writ petition and held that the authority who issued charge-sheet was competent to do so.

4. As a result, the situation that has arisen is that the petitioner's alternate challenge to the disciplinary proceedings on merits has remained unaddressed by the Tribunal.

5. The petitioner, therefore, moved RA 59/2026 before the Tribunal seeking permission to argue the alternate plea of merits in OA 681/2024.

6. On the ground that the order dated 1 April 2026 passed by this Court did not reserve liberty with the petitioner to urge the said grounds, the Tribunal has rejected the RA, but has granted the petitioner liberty to approach this Court to obtain clarifications in that regard.

7. Challenging the said order, the present writ petition has been filed.

8. It is but axiomatic that a party is entitled to urge all arguments advanced in a petition, irrespective of their merits. As the petitioner's OA had been decided only on the aspect of competence of the authority who issued the charge-sheet, other grounds of challenge to the disciplinary proceedings remained unadjudicated.



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9. The right of the petitioner to urge the said grounds cannot be foreclosed.

10. Mr. Mukul Singh, learned CGSC, on instructions, is agreeable to OA 681/2024 being remanded to the Tribunal for hearing on grounds which had been urged in the OA other than the ground of competence of the authority who issued the charge-sheet.

11. Accordingly, we remand OA 681/2024 to the Tribunal for the petitioner to argue all points raised in the said OA other than the plea that the authority who issued the charge-sheet was incompetent to do so.

12. We make it clear that we have not expressed any opinion on the merits of the said submissions and that both sides are at liberty to advance all submissions of fact and law before the Tribunal which would take a call on merits.

13. The writ petition is accordingly allowed in the aforesaid terms.

14. We request the Tribunal to take up and dispose of the matter as expeditiously as possible, preferably within eight weeks from today.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

MAY 26, 2026/AR