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

+ **W.P.(C) 10829/2022**

R S KHAN, IDAS (RETD.)

.....Petitioner

Through: Mr Mohammed Shoaib Khan,
Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Jivesh Kumar Tiwari,
(CGSC), Ms. Samiksha Mittal
& Ms. Nandini Aggarwal,
Advs. for UOI.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **11.02.2026**

1. Through the present writ petition, the Petitioner is challenging order dated 25.05.2018 (hereafter '**impugned order**'), in OA No. 420/2017, whereby the learned Central Administrative Tribunal dismissed the Petitioner's application for impleadment of Chief Vigilance Commissioner, Secretary of DoP&T and Secretary of UPSC.

2. The Petitioner was a Member of Indian Defence Accounts Service and 25% of her monthly pension was withheld as penalty on a permanent basis pursuant to disciplinary proceedings. The penalty is the subject matter of challenge before the learned Tribunal in OA No. 420/2017.

3. In the aforesaid Original Application, the Petitioner impleaded the Union of India through Secretary– Ministry of Defence, Controller



General of Defence Accounts– Ministry of Defence (Finance Division) and Secretary– Ministry of Defence (Finance) as Respondents.

4. During pendency, the Petitioner filed M.A. No.804/2018. The relevant portion of the application is as under:

“3. That the Applicant submits that the memo of parties in the present OA is incomplete and the Applicant seeks to revise the memo of parties by incorporating the missing necessary parties against whom relief is sought.”

5. The said application was rejected by the learned Tribunal by the impugned order. Four years after the impugned order was passed, the Petitioner filed the present Writ Petition.

6. It is evident that while filing the application, the Petitioner has not disclosed as to how the proposed respondents are necessary and proper parties.

7. Learned counsel representing the Petitioner has been specifically requested to show as to how the Chief Vigilance Commissioner, Secretary of DoP&T and Secretary of UPSC are necessary parties, however, he has failed to tender any cogent argument in this respect.

8. We have even perused the prayer made in the Original Application, which reads as under:

- a) *“To set aside the Order # AN/I/1382/RSK of 14 August 2015 as null and void;*
- b) *To quash the OM# 43/1/55(Ests)A part-II dated 11.01.1956 and OM dated 06.11.1997 as arbitrary & unconstitutional being violative of Article 14 of the Constitution and inter alia to the extent as the same denies the LTC claim to the applicant which is a service condition of the applicant;*
- c) *To direct the Respondents to release the entire retiral benefits in full along with the arrears in regular pensions*



with interest @18% pa from the date of superannuation till the date of actual payment;

- d) To direct the Respondents to refund the voluntary deposit of Rs.75,000/- with interest @ 18% pa from the date of deposit until the date of actual payment;*
- e) To direct the Respondents to pay exemplary damages for the cost and harassment incurred owing to judicial adventurism of the Respondents and unnecessarily burdening and wasting the Hon'ble Court's time;*
- f) To direct the Respondents to identify, educate and fix the responsibility for causing loss to the public exchequer's money for initiating an administrative inquiry founded on misreading as OM and to recover the damages from such officers;*
- g) Any other relief which this Hon'ble court deems fit and proper may also be awarded to the applicant."*

9. The order of penalty, which has been impugned in the Original Application, has been passed by Respondent No. 2, who is already impleaded as a party. As noted above, Union of India and Ministry of Defence are also parties in the Original Application.

10. In view of the aforesaid discussion, this Court finds no ground to exercise its extraordinary writ jurisdiction to interfere with the impugned order.

11. The present petition is dismissed in the aforesaid terms.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

FEBRUARY 11, 2026

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