



2026:DHC:4524-DB



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

+ **W.P.(C) 11139/2021**

USHA ANAND

.....Petitioner

Through: Dr. K.B.S. Rajan, Sr. Adv. with
Mr. Mahesh Kumar and Mr. Hitain Bajaj,
Advs.

versus

UNION OF INDIA AND OTHERS

.....Respondents

Through: Ms. Richa Dhawan, Sr. Panel
Counsel with Mr. Anuj Chaturvedi and Mr.
Yashita Jain, Advs. for UOI

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

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19.05.2026

C. HARI SHANKAR, J.

1. Having heard Dr. Rajan, learned Senior Counsel appearing for the petitioner and Ms. Richa Dhawan, learned Senior Panel Counsel for the respondents, we are inclined to set aside the impugned order dated 8 August 2019 passed by the Central Administrative Tribunal¹ solely on the ground that the order does not address the merits of the various contentions advanced by the petitioner in the two OAs instituted by her, i.e., OA 3127/2014 and OA 507/2016, which stand decided by the said judgment.

¹ "the Tribunal", hereinafter



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2. In view of the order that we propose to pass, it is not necessary for us to delve deep into the facts. Suffice it to state that, primarily on the allegation that she misbehaved with her colleagues, the petitioner was visited with two charge sheets, resulting in two orders of punishment, the first dated 7 May 2013, awarding the punishment of reduction of grade pay by three years and the second dated 16 March 2015 awarding the punishment of compulsory retirement from service.

3. We have seen the OAs filed by the petitioner, which raised various grounds by way of challenge to the merits of the allegations against her.

4. However, the impugned judgment passed by the Tribunal does not address any of the submissions advanced in the OAs, and merely states that, as the case against the petitioner was one of misbehaving with colleague, the punishment awarded did not call for interference.

5. It is axiomatic that, in every case, application of mind by the Tribunal to the various contentions advanced before it has to be reflected in the order passed by the Tribunal. Additionally, we may note, in the present case, that the petitioner is a differently abled woman employee.

6. Without, therefore, returning any opinion, even tentative, on the merits of two OAs, we set aside the impugned judgment dated 8 August 2019 on the ground that it is unreasoned. The OAs are



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remanded for reconsideration by the Tribunal *de novo*.

7. All contentions of fact and law would remain open to be advanced before the Tribunal by both sides.

8. In order to expedite matters, we direct the parties to appear before the Tribunal on 3 July 2026.

9. Neither side would be entitled to take any adjournment on the said date.

10. We are informed that the petitioner is now over 70 years of age. We, accordingly, request the Tribunal to deal with the matter expeditiously and to decide as early as possible, preferably within three months of hearing of the OAs.

11. In order to facilitate the Tribunal, both sides would place on record, before the Tribunal, brief written submissions, not exceeding four pages each, covering both the OAs, after exchanging copies with each other, at least a week in advance of the date of hearing fixed by us.

12. The impugned order is quashed and set aside. The writ petition stands allowed to the aforesaid extent, without expressing any opinion on the merits of the OAs.



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13. Needless to say, the Tribunal would proceed uninfluenced by the order under challenge in this petition.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

MAY 19, 2026/aky