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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8888/2004

K.P.SHARMA

..... Petitioner

Through: Mr. Kuldeep Mansukhani, Advocate.

versus

M/S INDIAN OILC CROPRATION LTD

..... Respondent

Through: Mr. V.N. Koura and Mrs. Paramjeet
Benipal, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

19.02.2024

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(The proceeding has been conducted through Hybrid Mode)

1. After some arguments, learned counsel for the petitioner seeks some time to place on record the appeal filed by the petitioner to the Chairman against the impugned dismissal order dated 27.04.2004.
2. The rules pertaining to the present case require the Disciplinary Authority to be the Director and the Appellate Authority to be the Chairman of the respondent, *qua* the petitioner.
3. In the present case, the Inquiry Proceedings were carried out by the CVC, apart from the petitioner, also against other officers, who were superior to the rank of the petitioner. The Disciplinary Authority in respect of such superior officers was the Chairman, and accordingly, since the proceedings were combined, the impugned order was passed by the Chairman even in the case of petitioner too.



2024-04-19-1758

4. In such case, according to Mr. V.N. Koura, learned counsel for the respondent, the Appellate Authority to the Chairman would be the Board of Directors.
5. It is due to this reason that this Court is directing the petitioner to place on record, the appeal, if any, filed against the impugned order dated 27.04.2004 before either the Chairman or the Board of Directors and if any further proceedings were held in that regard.
6. The same be done within four weeks. Copy whereof, be also furnished to Mr. V.N. Koura, so as to enable him to take appropriate instructions in that regard.
7. List the matter on 19.07.2024.

TUSHAR RAO GEDELA, J

FEBRUARY 19, 2024/nd