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

+ **W.P.(C) 8665/2019 & CM APPL. 35755/2019**

PUNYAVARDHANAM

..... Petitioner

Through: Mr. Sudhir Naagar with
Mr. Digvijay Chaudhary,
Advocates.
(M): 9818353999
Email: office@naagar.com

versus

GOVT OF NCT OF DELHI & ORS

..... Respondents

Through: Ms. Asmita Singh with
Mr. Harshit Goel, Advocates
for Mr. Gautam Narayan,
Advocate for respondent no. 2
to 4 and 6.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

15.03.2023

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[Physical Hearing/ Hybrid Hearing]

1. The present matter has been received by way of transfer and marked to this Court.

CM APPL. 35755/2019 (Application under Section 151 CPC seeking exemption from filing certified/fair typed copies of annexures)

2. This an application under Section 151 CPC seeking exemption from filing certified/fair typed copies of annexures.

3. Recording the undertaking on behalf of the petitioner that defects shall be cured within four weeks, exemption is allowed.

4. Application is disposed of.

W.P.(C) 8665/2019



5. The present writ petition has been filed with prayer for quashing the impugned order dated 22.03.2019, which is an office order issued by the Delhi Sanskrit Academy rejecting the appeal of the petitioner herein and the impugned order dated 06.11.2017, which is an order issued by the Delhi Sanskrit Academy, Delhi Government, by which the petitioner was dismissed from the services of the Delhi Sanskrit Academy with immediate effect.

6. It is the case on behalf of the petitioner that the impugned orders dated 06.11.2017 and 22.03.2019 are non-speaking and cryptic orders, indicating that the Disciplinary Authority as well as the Appellate Authority have failed to apply their mind to the facts of the case and have mechanically passed the impugned orders.

7. It is submitted that the said orders have been passed without providing any reasonable opportunity to the petitioner to defend his case, by denying the additional documents which were essentially required for defence of the petitioner, during the inquiry.

8. It is further submitted that the Disciplinary Authority had mechanically accepted the report of the Enquiry Officer in less than 8 working hours of its receipt, without going into the reply given on behalf of the petitioner in his defence. Thus, it is submitted that extreme penalty of dismissal from service, disproportionate to the charges leveled against the petitioner, has been awarded without indicating the reasons at all.

9. Learned counsel appearing on behalf of the Delhi Sanskrit Academy, on the other hand, refutes all the submissions as made on behalf of the petitioner. She submits that the petitioner did not appear



before the Enquiry Officer despite ample opportunities.

10. The matter requires consideration.
11. Issue notice.
12. Notice is accepted by learned counsel appearing for respondent nos. 2, 3, 4 and 6.
13. Let notice be issued to respondent nos. 1 and 5.
14. Reply be filed within four weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.
15. List before the Registrar for completion of pleadings on 28.04.2023.

MINI PUSHKARNA, J

MARCH 15, 2023

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