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

+ **W.P.(C) 12975/2005**

KAMALJEET SINGH BHATIA Petitioner

Through: Mr. G.S. Chaturvedi, Advocate
with petitioner in person

versus

THE APP.AUTH.PUNJAB & SIND BAN Respondent

Through: Mr. Rajat Arora, Advocate
(M:9810176964)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

28.11.2022

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[Physical Hearing/ Hybrid Hearing]

1. During the course of arguments, Id. Counsel for petitioner has argued that he is in lowest rung of hierarchy being only a desk officer and that there are Manager/Senior Manager/Branch Manager above him, who were responsible in an overall manner for any action.
2. Ld. Counsel for the petitioner points out to Chapter – V of the guidelines of documentation, which reads as under:

“iii) It is clarified that the primary responsibility for any lapses on the part of security documents lies on the incharges of the branch. The Branch Manager for his satisfaction should do periodical test checking and keep records for such checking inspection.”



3. In view of the aforesaid, a query has been put to Id. Counsel for petitioner with respect to any action having been taken against any of his seniors. Id. Counsel for petitioner submits that he is aware that some action has been taken against the Branch Manager, though he is not aware of the details.

4. Id. Counsel for respondent submits that he would have to take instructions in this regard as no such specific plea was taken by petitioner in the present petition. In view thereof, directions are issued to the respondent to file affidavit on the aspect of punishment having been imposed upon officers senior in hierarchy to the petitioner with respect to the charges/charge sheet, as issued against the petitioner. Respondent is also directed to file a chart showing the hierarchy of officers who are above the petitioner in the scheme of things. Respondent may also file document pertaining to scope of duties of the petitioner as well as officers higher in hierarchy to the petitioner. Let the said affidavit be filed on behalf of the respondent within a period of four weeks along with any requisite documents.

5. List for consideration on 20.03.2023.

MINI PUSHKARNA, J

NOVEMBER 28, 2022

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