

GAHC010056482017



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/7726/2017

BHUPENDRA KUMAR @ BHUPENDER
KUMAR
S/O SRI RAJBEER SINGH, R/O VILL-
KAZIPURA, PO- DASNA, PS- MASURI, PIN-
201001, DIST. GAZIABAD, UTTAR PRADESH

VERSUS

THE UNION OF INDIA and 6 ORS.
REP. BY THE SECRETARY, MINISTRY OF
HOME AFFAIRS, NORTH BLOCK, CABINET
SECRETARIAT, RAISINA HILL, NEW DELHI-
110001

2:THE DIRECTOR GENERAL
CISF HEADQUARTER
BLOCK NO.13
CGO COMPLEX
LODHI ROAD
NEW DELHI-110003

3:THE INSPECTOR GENERAL
CISF NES HQRS
KOLKATA-700107
WEST BENGAL

4:THE DEPUTY INSPECTOR GENERAL
CISF UNIT
OIL DULIAJAN

DIBRUGARH
ASSAM
PIN-786602

5:THE COMMANDANT DISCIPLINARY
OFFICER
CISF UNIT
DSP DURGAPUR
WEST BENGAL
PIN-713203

6:THE COMMANDANT
CISF
UNIT DSP-DURGAPUR
WEST BENGAL
PIN-713203

7:THE ASSISTANT COMMANDANT
ENQUIRY OFFICER
CISF UNIT
DSP
DURGAPUR
WEST BENGAL
PIN-71320

Advocate for the Petitioner : MR.K KALITA

Advocate for the Respondent : MR.B CHAKRAVARTY

BEFORE
HON'BLE MR. JUSTICE HRISHIKESH ROY

O R D E R

05.01.2018

The petitioner was serving as Constable in the CISF unit posted at Duliajan. When he was availing leave, he was *arrested* in a criminal case. This led to overstaying of leave and moreover while reporting back, the CISF constable *concealed* the arrest incident. Accordingly, Disciplinary Proceeding was drawn up against him and the authority under the impugned order dated 13.12.2013 (Annexure-10) has imposed the penalty of *reduction of pay* by one stage, for a period of 2 years and postponing of increment, during the punishment period. The aggrieved constable has filed the Appeal as well as

Revision Application, but both the authorities have upheld the penalization of the CISF constable.

In view of above, let Notice returnable in 4 weeks be issued. Mr. S.K. Chakraborty, the learned CGC accepts notice for all seven respondents. Necessary extra copies be furnished to him.

JUDGE

Datta