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* **IN THE HIGH COURT OF DELHI AT NEW DELHI****Judgment reserved on: 30.07.2026**

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Judgment delivered on: 17.08.2026+ **LPA 703/2025 & CM APPL. 72503/2025**

M.M. DHONCHAK,Appellant
Through: Appellant in person.

versus

UNION OF INDIARespondent
Through: Ms.Pratima N Lakra, CGSC with
Mr.Shailendra Kumar Mishra,
Ms.Smuthi, Mr.Aryan Pathak and
Ms.Indu Uttara, Adv.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJAS KARIA

J U D G M E N T**DEVENDRA KUMAR UPADHYAYA, C.J.**

1. Heard the appellant who appears in person and Ms. Pratima N. Lakra, CGSC for the respondent – Union of India.
2. The appellant is in appeal before us against the judgment dated 26.09.2025 passed by the learned Single Judge whereby two writ petitions, filed by him, namely W.P.(C) 5143/2024 and W.P.(C) 8478/2024, have been dismissed.



3. The appellant was appointed as Presiding Officer of the Debts Recovery Tribunal [“DRT”]-II, Chandigarh. While he was working as the Presiding Officer, disciplinary proceedings were initiated against him and he was placed under suspension by means of the order dated 13.02.2024. Thereafter, a charge sheet dated 26.02.2024 was also issued and an inquiry officer to inquire into the charges leveled against the appellant was also appointed. W.P.(C.) No. 5143/2024 was filed by the appellant challenging the order of suspension dated 13.02.2024 as also the charge sheet dated 26.02.2024.

4. The suspension of the appellant was extended from 13.05.2024 to 09.11.2024 and, thereafter until 08.05.2025 by means of the order dated 05.11.2024 and further until 04.11.2025 or until further orders *vide* order dated 06.05.2025.

5. In W.P.(C.) No. 8478/2024, the appellant had challenged the order dated 13.05.2024 by which his suspension was extended from 13.05.2024 to 09.11.2024. We may also note that the order dated 05.11.2024 by which suspension of the appellant was extended from 09.11.2024 to 08.05.2025 was assailed by the appellant by filing W.P.(C.) No. 15933/2024 which was dismissed by the learned Single Judge *vide* judgment dated 03.03.2025. The appellant instituted an intra-Court appeal being LPA No. 204/2025 which too was dismissed by a Division Bench of this Court by means of the judgment dated 01.07.2025. The appellant, thereafter, filed Special Leave Petition [SLP (C) No. 23602/2025], which too was dismissed on 29.08.2025 by the Hon’ble Supreme Court.



6. We have also been informed that the disciplinary proceedings initiated against the appellant have been concluded and inquiry officer had submitted the report on 03.06.2025 whereafter, by means of an order dated 18.11.2025, the appellant has been removed from his post.

7. In view of the aforesaid facts, so far as the order dated 13.05.2024, whereby the appellant's suspension was extended from 13.05.2024 to 09.11.2024, is concerned, no challenge to the said order survives for the reason that on conclusion of the disciplinary proceedings, the appellant vide order dated 18.11.2025, has been removed from his post. The removal order has also been challenged by the appellant before the Punjab & Haryana High Court by way of instituting the proceedings of CWP No. 6521/2026.

8. As far as the challenge made by the appellant in W.P.(C.) No. 5143/2024 to the suspension order dated 13.02.2024 is concerned, such challenge has also been rendered infructuous in view of the subsequent developments as noted above in the preceding paragraphs.

9. As far as the challenge to the charge sheet dated 26.02.2024 is concerned, the learned Single Judge, by means of the impugned judgment, after detailed discussion on the scope of judicial review of charge sheet in proceedings under Article 226 of the Constitution of India, has held that so far as merits of the allegations in the charge sheet is concerned, ordinarily the same cannot be judicially reviewed or scrutinised by this Court. We are in complete agreement with such findings returned by the learned Single Judge in the impugned order for the reason that while a charge sheet is subjected to judicial scrutiny or judicial review by this Court in proceedings



under Article 226 of the Constitution of India, this Court cannot go into the veracity or truthfulness or otherwise of the charges or allegations.

10. The issue raised by the appellant regarding jurisdiction of the authority concerned for issuing the charge sheet against the appellant has also been appropriately dealt with by the learned Single Judge in the impugned judgment and order. After discussing various statutory provisions such as (i) The Recovery of Debts and Bankruptcy Act, 1993, (ii) The Tribunals Reforms Act, 2021, (iii) Tribunal (Conditions of Service) Rules, 2021, (iv) Central Civil Services (Classification, Control and Appeal) Rules, 1965, (v) Central Civil Services (Conduct) Rules, 1964 and (vi) The Government of India (Transaction of Business) Rules, 1961, the learned Single Judge has concluded that the statutory procedure for initiation of the disciplinary proceedings against the appellant was followed and further that there was no jurisdictional error so far as issuance of the charge sheet against the appellant is concerned. The relevant findings recorded by the learned Single Judge can be found in paragraphs 33-35 of the impugned judgment which are extracted herein below:

“33. I do not find any jurisdictional or procedural defect in such a procedure. No statutory provision, rules, office memorandum or judgments were cited by the petitioner in support of his contentions in this regard.

34. There is also no merit in the petitioner’s submission that the UoI had no jurisdiction to issue a chargesheet against him. His submission that disciplinary authority was in fact the SCSC, is not borne out by Rule 9 of the TCS Rules. The Rule, in fact, requires the SCSC to submit a report to the Central Government, which is the designated authority. It is clear from Section 4 of the TR Act that the power to remove a Chairperson or Member from office vests in the Central Government. This position is also fortified by Rules 12(2) and 13 of the CCS (CCA) Rules, which vest the President with disciplinary authority over a Government servant. Even if



it were to be suggested that the TR Act and the TCS Rules are silent as to the identification of the disciplinary authority, these provisions would fill the lacuna by virtue of Rule 16 of the TCS Rules.

35. The powers of the President in this regard have been vested in the Ministry under Rule 3 of the Government of India (Transaction of Business Rules), 1961. Mr. Prakash has also placed on record an Office Memorandum [No. F.39/1/69-Ests-(A)] of the Ministry of Home Affairs dated 16.04.1969 which clarifies that in cases where the disciplinary authority is President, initiation of disciplinary proceedings should be approved by the concerned Minister. This procedure has been followed in the present case. ”

11. Nothing contrary has been placed by the appellant before us to impeach the aforesaid findings recorded by the learned Single Judge to the effect that there was no jurisdictional error so far as issuance of charge sheet is concerned. We are, thus, in complete agreement with the findings of the learned Single Judge in this regard as well.

12. For the reasons aforesaid, we do not find any good ground to interfere with the impugned judgment dated 26.09.2025 passed by the learned Single Judge.

13. Accordingly, the appeal is hereby dismissed. Pending applications, if any, also stand disposed of. No order as to costs.

(DEVENDRA KUMAR UPADHYAYA)
CHIEF JUSTICE

(TEJAS KARIA)
JUDGE

AUGUST 17, 2026

N.Khanna