



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 6305/2026
CNR: RJHC020322352026 | URN: CW / 13958U / 2026

Deepak Meena, S/o Shri Ratan Lal Meena, Aged About 34 Years, R/o
Village Ukhalana Tehsil Uniara District Tonk, Rajasthan-304023.

----Petitioner

Versus

1. The Chairman Cum Managing Director, Jaipur Vidhyut Vitran Nigam Limited, Vidhyut Bhawan, Jyoti Nagar, Jaipur-302005.
2. The Secretary (Admn.), Jaipur Vidhyut Vitran Nigam Limited, Vidhyut Bhawan, Jyoti Nagar, Jaipur-302005.
3. Zonal Chief Engineer (B/z), Bharatpur, Near Power House, Motijheel, Bharatpur-321001.

----Respondents

For Petitioner(s) : Mr. Abhishek B. Sharma
For Respondent(s) : Mr. Sarvesh Jain

HON'BLE MR. JUSTICE ANAND SHARMA

Order

23/09/2026

1. By way of filing this writ petition, the petitioner has challenged penalty order dated 25.08.2022 issued by the Zonal Chief Engineer(B/Z), Jaipur Discom, Bharatpur whereby penalty of withholding one annual grade increment without cumulative effect has been imposed upon the petitioner. He has also assailed the order dated 23.01.2026, whereby appeal filed by the petitioner against the penalty order has also been rejected.

2. Briefly stated facts of the case are that the petitioner was initially appointed on the post of Junior Engineer (Grade-I) (Electrical) on 05.02.2015.

3. When petitioner was posted as Junior Engineer (PWS) Jaipur Discom, Jaipur, Bhadauti Region, a transformer of 3.15 MVA



at 33/11 K.V. sub-station bad bicchodana got damaged on 18.10.2021.

4. One memorandum/charge-sheet was issued to the petitioner on 02.11.2021 leveling allegations of committing irregularities as well as making an attempt to cause heavy financial loss to the respondent-Corporation. Relevant portion of the memorandum is reproduced hereunder:

"Shri Deepak Meena, JEN-Bhadoti, O/o AEN (O&M), Jaipur Discom, Malarna Dungar is hereby informed that it is proposed to hold an enquiry against him under Regulation No. 6 of the erstwhile Rajasthan State Electricity Board Employees (Classification, Control & Appeal) Regulations 1962. The allegation on which the enquiry is proposed to be held is set out in the enclosed statement of allegations.

2. Shri Deepak Meena, JEN-Bhadoti, O/o AEN (O&M), Jaipur Discom, Malarna Dungar is further informed that for the purpose of preparing his defence reply, if he wishes to inspect and take extracts from official records, he is advised to see the relevant records available in the office of the SE(O&M), Jaipur Discom, Sawaimadhopur. He should however, note that if in the opinion of disciplinary authority such records are not relevant for the purpose or it is against the public interest to allow him access to such records, he will not be permitted to inspect or take extracts from such records.

3. Shri Deepak Meena, JEN-Bhadoti, O/O AEN (O&M), Jaipur Discom, Malarna Dungar is further informed that if the written statement of his defence reply is not received within thirty days, the disciplinary action is liable to held ex-parte. "

5. Reply of memorandum/charge-sheet was filed on behalf of the petitioner, in which he categorically denied the charges. Relevant portion the reply is reproduced hereunder:

"1. That is, it has been falsely reported that additional 5 MVA power transformer was not given



on load. Though the fact is that the additional 5 MVA power transformer was already on load. But meanwhile the platform of the power Transformer got more damaged (it was already damage at the time of charging and testing which is mentioned in the report of the M&P wing on date 27.11.2020) (Report enclosed -Annexure 1)

After damaging of power transformer platform, the power transformer was unloaded from the platform and the repairing work was on progress as written direction was given by A.En (O&M) Bonli. (letter and photos of damaged platform are enclosed - Annexure -2)

2. That is, as reported by the M&P Wing it is already mentioned that the load and CMRI report of the feeders will be submitted later on. So the burning of power transfer on load basis is just a premature comment without any fact. (Failure Report copy enclosed - Annexure 3)

3. That is, the VCBs on the burn 3.15 MVA power transformer were defective on dated 18.10. 2021 and before which it was repaired just after burning of the power transformer. (Repairing Report of maintenance of VCBs are enclosed.) But these have not been considered in the report of M&P wing. (Report copy enclosed - Annexure 5)

Apart of all above facts the undersigned who deals the O&M wing is not responsible for the maintenance of the power transformers as we are already engaged in the O&M works and other revenue collection works. Therefore the undersigned requests to you that please remove all these baseless allegations against the undersigned as these are unnecessarily depression causing and harms the Nigam works."

6. Thereafter, penalty order dated 25.08.2022 was passed by the Zonal Chief Engineer(B/Z), Jaipur Discom, Bharatpur, whereby the penalty of stoppage of one annual grade increment





without cumulative effect was imposed upon the petitioner.

Penalty order dated 25.08.2022 is hereby reproduced:-

"A charge sheet under Regulation-6 of the Employees (CC&A) Regulations 1962 was served upon Shri Deepak Meena, JEN, vide memorandum No. JPD/ZCE/BZ/BTP/DDP/CONF. / F.603/D.957 Dated 02.11.2021. He was alleged for not distributing load to the additional power transformer sanctioned earlier which resulted into failure of 3.15 MVA transformer due to excess load, as per statement of allegation served upon him. He submitted his reply vide No. 03 dated 04.04.2022 and denied the allegations.

After careful consideration of relevant records/documents, the undersigned has not found the reply satisfactory and therefore, ordered to impose a penalty of stoppage of one Annual Grade increment without cumulative effect upon Shri Deepak Meena, JEN. Accordingly, a penalty of stoppage of one Annual Grade increment without cumulative effect in the above case is hereby imposed' upon Shri Deepak Meena, JEN. He can file appeal against the above penalty order to the Appellate Authority- Managing Director, JVVNL, Jaipur through his controlling officer within 30 days, If he wishes so."

7. Thereafter, the petitioner filed departmental appeal raising several grounds to challenge the penalty orders however, the appeal filed by the petitioner was rejected by the Appellate Authority vide order dated 23.01.2026. Relevant part of memo of appeal is quoted hereunder:

"Sir, the 3.15 MVA Power Transformer installed at 33/11 KV Sub-Station Bad Bichhidona under Jen, Bhadoti and AEn(O&M) Jaipur Discom, Bonil, of course, failed on 18-Oct-2021 but this failure of the power transformer was not due to not distributing the load to the additional Power transformer said to have been sanctioned earlier.

No doubt a Power Transformer of 5.00 MVA was there at this 33/11 KV Sub-Station but due to collapse of its platform, the Power Transformer was likely to fail and damaged. This fact was well given a mention in the report No. 1/22 Dated 27-Nov-2020 (Annexure- 'A') prepared by the AEn (P&FA) Jaipur Discom, Sawai Madhopur specifying





"Pit damaged. AEn, Bonli is advised to repair the pit at earliest." Collapse of the platform was also reported by me to the AEn (O&M), Bonli vide my letter dated 24-Aug-2021 (Annexure- 'B') with a copy to the XEn (O&M) Jaipur Discom, Sawai Madhopur.

The AEn, on reporting this fact asked to call the contractor to have the work of platform done. Therefore, it was ineluctable to remove the 5.00 MVA transformer from the platform to have repaired/renovated the platform. As directed by the AEn the contractor was contacted over mobile and on giving consent on 01-Sep-2021 (as mentioned in the work order No. 6572 Dated 09-Dec-2021) enclosed at Annexure- 'C' the contractor commenced the work as awarded in Oct-2021 w.e.f.____.

Under the circumstances there was available no option to put the entire load on only the available transformer i.e. 3.5 MVA transformer failure of which due to overloading is not substantiated by any of the documents provided to me for inspection.

The allegation leveled against me through the statement of allegation served vide memorandum Dated 02-Nov-2021, is based on the investigation report of failure of Power Transformer No. 2304 Dated 18-Oct-2021 (Annexure- 'D') prepared by the AEn/JEn (P&FA/FM) Jaipur Discom, Sawai Madhopur which itself is lame one as is evident from the reasons of failure of transformer recorded as below- "5 MVA additional X-mer already charged on dated 27-Nov-2020 but since then load is not given to it by (C&M) wing. 3.15 MVA X-mer is used on excess load more than its capacity in Details Analysis Report & CMRI of feeders will be submitted separately."

In the failure report mention made is that an additional transformer of 5 MVA was already charged but it has not been specified/mentioned if it was there on the platform and could any load have been diverted/put on it.

Further the report was not specifying the load put on 3.15 MVA transformer which was a must to substantiate the mention of use of excess load on it. Even the load analysis and the CMRI of feeders has not been provided till date.

The point noteworthy is that in the investigation report(Annexure- 'D') at S. No. 7 level of oil has been shown minimum(below 1/4 level) & in the complaint attendance report made by the representative of M/s shelmec reported on 18-Oct-2021 that 'B' phased VI ceramic damaged and epoxy housing also damaged due to havy fault. The representative of the firm replaced 1 No. VI and epoxy housing thereafter the VCB started working satisfactorily complaint attendance report is at Annexure- E'. Since maintenance of 33/11KV S/S including power transformer is the responsibility of the AEn (HTM) concerned as per order





No. JPD/Admn./Estt./F-1 (Restructuring/Creation)/D-631
Dated- 11-Apr-2019, the failure of 3.15 MVA transformer is attributable to the officer who has been made responsible for preventive maintenance of PT.

More so the investigation report does not bear the signatures of the AEn/JEn (O&M) which were obligatory to uphold the mentions made in it.

Thus taking into consideration the investigation report dated 18-Oct-2021, for foisting upon me the allegation and inflicting penalty giving no heed to all the facts submitted in reply to the allegation and giving no opportunity of personal hearing is not just."

8. Learned counsel for the petitioner submits that in the cases, where disciplinary proceedings were initiated for imposing minor penalty, only and minimum right provided to the delinquent is to file reply to the charge-sheet. Thus, the disciplinary authority was under an obligation to consider the contents of reply and defence put forward by the delinquent in objective manner as well as to consider the fact finding report and other relevant material. In the instant case, bare perusal of order dated 25.08.2022 passed by the Disciplinary Authority would make it clear that ignoring the contents of reply in defence of the petitioner as well as without analysing the fact verification report and other material, in quite abrupt manner, the disciplinary authority came to the conclusion that the petitioner was guilty of the charges and penalty has been imposed upon the petitioner.

9. Learned counsel for the petitioner further submits that such order was further challenged by him by way of filing appeal, yet even the appellate authority has dismissed the appeal filed by the petitioner, in quite mechanical manner vide order dated 23.01.2026.

10. Thus, learned counsel for the petitioner submits that his defence has not been tested and examined either by the





disciplinary authority or by the appellate authority. He submits that although, the disciplinary authority has got power to punish in order to enforce discipline, yet such power is neither unbridled nor unfettered. The disciplinary authority as well as appellate authority are required to apply their judicious mind and not to impose penalty in a routine and casual manner without considering the defence, contents of reply and other material. Hence, he prayed for quashing the penalty as well as appellate order.

11. *Per contra*, learned counsel for the respondents submits that it is a case where there were charges of serious misconduct against the petitioner revealing an attempt to cause heavy financial loss to the respondent-Corporation by making grave irregularities.

12. Learned counsel for the respondents further submits that the ground of non consideration raised by the petitioner is totally misconceived. Whereas, bare perusal of penalty order dated 25.08.2022 clearly makes a recital that after careful consideration of the relevant record/documents and reply, the Disciplinary Authority has ordered to impose the penalty of stoppage of one annual grade increment without cumulative effect upon him. Thus, there is clear cut reference of consideration of reply with other record hence, it cannot be said that the reply and defence of the petitioner as well as other relevant material has not been considered by the disciplinary authority.

13. Learned counsel for the respondents further submits that even the appellate authority has not committed any mistake in dismissing the appeal filed by the petitioner which was totally unfounded and based upon irrelevant and rational grounds. He





submits that while appellate authority concurs with the view taken by the disciplinary authority, he is not required to give any reasoning, more particularly when the misconduct alleged is of serious nature. He submits that even otherwise, the reasons for passing penalty order and appellate order are very much there on the file of the Corporation, therefore, the allegation of non consideration is totally misplaced and the orders impugned cannot be quashed simply on such grounds. He prayed for dismissing the writ petition.

14. Learned counsel for the respondents, in support of his arguments, has relied upon the judgment of Hon'ble Supreme Court in the case of **State of U.P. & Anr. Vs. Man Mohan Nath Sinha & Anr. in Civil Appeal No.5549/2009 (Arising out of SLP(C) No.1848/2009) decided on 17.08.2009** and judgments of this Court in the cases of **Inder Singh Rathore Vs. State of Rajasthan & Ors. in S.B. Civil Writ Petition No.669/2003 decided on 23.01.2017, Inder Singh Rathore Vs. State of Rajasthan & Ors. in D.B. Special Appeal Writ No.329/2017 decided on 24.04.2017** and **Jai Singh Nirwan Vs. State of Rajasthan & Anr. in S.B. Civil Writ Petition No.4821/2002 decided on 15.09.2025.**

15. Heard learned counsel for the parties and perused the record.

16. Bare perusal of penalty order reveals that the disciplinary authority has given a reference with regard to incident in brief in first sub para of the order and in second sub para, he has mentioned that the relevant record/document and reply were considered carefully by the disciplinary authority. Similar recital is



there in the appellate order, wherein it has been mentioned that the relevant record and oral submissions made during hearing have been considered by the appellate authority.

17. This Court has dealt with similar set of facts in the case of **Rajesh Kumar Tiwari Vs. The Jaipur Vidyut Vitran Nigam Ltd. & Ors. (S.B. CWP No. 12187/2014 decided on 09.01.2026)** and the same are mentioned hereinunder:

*"17. Now, the question arises whether mere using the word considered in the disciplinary order as well as in the appellate order can be treated as valid and objective consideration in the eye of law. In the case of **Chairman Life Insurance Corporation of India & Ors. Vs. A. Masilamani** reported in (2013) 6 SCC 530, the Hon'ble Supreme Court has laid down that word 'consider' means active application of mind as well as thinking over, pondering and weighing the relevant material. Para 19 of the above judgment is relevant and is quoted here under:*

"19. The word "consider" is of great significance. The dictionary meaning of the same is, "to think over", "to regard as", or "deem to be". Hence, there is a clear connotation to the effect that there must be active application of mind. In other words, the term "consider" postulates consideration of all relevant aspects of a matter. Thus, formation of opinion by the statutory authority should reflect intense application of mind with reference to the material available on record. The order of the authority itself should reveal such application of mind. The appellate authority cannot simply adopt the language employed by the disciplinary authority and proceed to affirm its order. (Vide Indian Oil Corpn. Ltd. v. Santosh Kumar¹⁵ and Bhikhubhai Vithlabhai Patel v. State of Gujarat¹⁶.)"

18. Similarly, in the case of **Bhikhubhai Vithlabhai Patel & Ors. Vs. State of Gujarat & Anr.** reported in **(2008) 4 SCC 144**, the term considered has been defined as consideration of all relevant aspect of the matter. Para 25 of the aforesaid judgment is quoted here under:

"25. The formation of the opinion by the State Government is with reference to the necessity that may have had arisen to make substantial modifications in the draft development plan. The expression: "as considered necessary" is again of crucial importance. The term "consider" means to think over; it connotes that there should be active application of the mind. In other words the term "consider" postulates





consideration of all the relevant aspects of the matter. A plain reading of the relevant provision suggests that the State Government may publish the modifications only after consideration that such modifications have become necessary. The word "necessary" means indispensable, requisite, indispensably requisite, useful, incidental or conducive, essential, unavoidable, impossible to be otherwise, not to be avoided, inevitable. The word "necessary" must be construed in the connection in which it is used. (See Advanced Law Lexicon, P. Ramanatha Aiyar, 3rd Edn., 2005.)"

19. In the case of **Ram Chander Vs. Union of India & Ors.** reported in **(1996) 3 SCC 103**, the Hon'ble Supreme Court has laid down that consideration means objective consideration after due application of mind which employees the giving of the reasons for its decision. Para 9 of the aforesaid judgment is relevant and is reproduced here under:

"9. These authorities proceed upon the principle that in the absence of a requirement in the statute or the rules, there is no duty cast on an appellate authority to give reasons where the order is one of affirmance. Here, Rule 22(2) of the Railway Servants Rules in express terms requires the Railway Board to record its findings on the three aspects stated therein. Similar are the requirements under Rule 27(2) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. Rule 22(2) provides that in the case of an appeal against an order imposing any of the penalties specified in Rule 6 or enhancing any penalty imposed under the said rule, the appellate authority shall "consider" as to the matters indicated therein. The word "consider" has different shades of meaning and must in Rule 22(2), in the context in which it appears, mean an objective consideration by the Railway Board after due application of mind which implies the giving of reasons for its decision."

20. While the order dated 03.01.2013 passed by the Disciplinary Authority and appellate order dated 25.07.2014 are examined at the touch stone of the aforesaid judgment for the purpose of assessing, whether there was consideration on the part of disciplinary authority or not, it becomes clear that neither the contents of reply have been referred nor the relevant record including facts verification report has been discussed, weighed and analysed either by the disciplinary authority or by the appellate authority, nor is there any reason assigned for arriving at the conclusion in the aforesaid orders. Hence, such alleged consideration cannot be said to be consideration in legal sense and mere using the words that the record, reply etc. has been considered is merely an empty formality and eye wash on the part of disciplinary authority and appellate authority.





21. Constitution Bench of Hon'ble Supreme Court in the case of **S. N. Mukherjee Vs. Union of India reported in (1990) 4 SCC 594** has laid down that the authority exercising the powers must record reasons for its decision and even the necessity to record reasons has been brought within the four corners of compliance of principle of natural justice. Para 36, 40 and 41 of the aforesaid judgment are referred here under:

"**36.** Reasons, when recorded by an administrative authority in an order passed by it while exercising quasi-judicial functions, would no doubt facilitate the exercise of its jurisdiction by the appellate or supervisory authority. But the other considerations, referred to above, which have also weighed with this Court in holding that an administrative authority must record reasons for its decision, are of no less significance. These considerations show that the recording of reasons by an administrative authority serves a salutary purpose, namely, it excludes chances of arbitrariness and ensures a degree of fairness in the process of decision-making. The said purpose would apply equally to all decisions and its application cannot be confined to decisions which are subject to appeal, revision or judicial review. In our opinion, therefore, the requirement that reasons be recorded should govern the decisions of an administrative authority exercising quasi-judicial functions irrespective of the fact whether the decision is subject to appeal, revision or judicial review. It may, however, be added that it is not required that the reasons should be as elaborate as in the decision of a court of law. The extent and nature of the reasons would depend on particular facts and circumstances. What is necessary is that the reasons are clear and explicit so as to indicate that the authority has given due consideration to the points in controversy. The need for recording of reasons is greater in a case where the order is passed at the original stage. The appellate or revisional authority, if it affirms such an order, need not give separate reasons if the appellate or revisional authority agrees with the reasons contained in the order under challenge.

40. For the reasons aforesaid, it must be concluded that except in cases where the requirement has been dispensed with expressly or by necessary implication, an administrative authority exercising judicial or quasi-judicial functions is required to record the reasons for its decision.

41. We may now come to the second part of the question, namely, whether the confirming authority is required to record its reasons for confirming the finding





and sentence of the court martial and the Central Government or the competent authority entitled to deal with the post-confirmation petition is required to record its reasons for the order passed by it on such petition. For that purpose it will be necessary to determine whether the Act or the Army Rules, 1954 (hereinafter referred to as 'the Rules') expressly or by necessary implication dispense with the requirement of recording reasons. We propose to consider this aspect in a broader perspective to include the findings and sentence of the court martial and examine whether reasons are required to be recorded at the stage of (i) recording of findings and sentence by the court martial; (ii) confirmation of the findings and sentence of the court martial; and (iii) consideration of post confirmation petition."



22. In the light of aforesaid guidelines given by the Hon'ble Supreme Court, when this Court examined the order of the disciplinary authority dated 03.01.2013 and appellate order dated 25.07.2014, it becomes clear that no reason whatsoever has been assigned either by the disciplinary authority or by the appellate authority for arriving at a particular decision. Hence, clearly impugned orders have been passed without due application of mind and without recording any reason.

23. Contentions of learned counsel for the respondents that reasons may not be reflecting in so many words in the impugned order, yet they are clearly mentioned in the note-sheets of the files lying in the office of respondent-Corporation, are totally unsustainable and unfounded. Penalty order and the appellate order causes serious prejudice and miscarriage of justice to the delinquent employee as it also reflects in the service record and also causes adverse impact on his future promotions/benefits etc. Therefore, the reasons for holding the delinquent guilty as well as to arrive at a particular conclusion for imposing penalty, are bound to be part of the disciplinary order as well as the appellate order. It is also settled that while defending the impugned orders, the respondents are bound to refer the contents of impugned order and cannot be allowed to supplement the same by any other material, which was not supplied to the delinquent.

24. So far as judgments of **Man Mohan Nath Sinha (Supra)**, **Inder Singh Rathore (Supra)** and **Jai Singh Nirwan (Supra)** there is no quarrel with the preposition of law laid down in such judgments, yet such judgments have been delivered in altogether different facts and circumstances, hence, are not attracted in the set of facts of the present case.

25. It is settled that in cases, where a minor penalty is proposed and the Rules permit adoption of a summary procedure in place of a full-fledged departmental enquiry, the requirement of



fairness, transparency and judicious decision making is not diluted. On the contrary, when the disciplinary authority does not follow the procedure of a detailed enquiry and confines the opportunity of hearing to submission of a written reply by the delinquent employee, the obligation to record clear and cogent reasons in the penalty order becomes more pronounced. The reply submitted by the delinquent constitutes the sole and substantive defence available to him, and therefore, it is incumbent upon the disciplinary authority to objectively consider each material contention raised therein and to reflect such consideration in the final order. A penalty order passed in a summary proceedings, if bereft of reasons or containing only a bald recital of conclusions, gives rise to a legitimate apprehension that the authority has acted mechanically or with a predetermined mind. Reasoned findings, even while imposing a minor penalty, serve as a safeguard against arbitrariness and demonstrate that the authority has weighed the explanation of the delinquent against the allegation levelled. Such reasoning also ensures compliance with the principles of natural justice, particularly the rule of audi alteram partem, which is not satisfied by mere issuance of charge sheet but requires due and conscious consideration of the reply thereto. The absence of reasons in a minor penalty order, passed after a summary procedure, thus vitiates the decision making process and renders the order vulnerable to the judicial scrutiny, as it fails to disclose a fair, transparent and rational basis for imposition of penalty.

26. It is settled principle of service jurisprudence that consideration of the defence put forth by a delinquent employee in disciplinary proceedings is neither an empty ritual, nor a mere formality to be completed for the sake of compliance with procedural requirements. The disciplinary authority is under a legal obligation to apply its independent and judicious mind to the entire material on record, including the specific points of defence raised by the delinquent. Such consideration must be reflected from the penalty order itself, by way of cogent reasons indicating as to why the explanation or defence has been accepted or rejected. Reasons are the soul of any administrative or even the quasi judicial order, as they ensure transparency, fairness and accountability in decision making and also enable the affected employee as well as the court scrutinizing such order to understand the basis of conclusion arrived at. An order which merely records the conclusion of guilt and proceeds to impose penalty, without analyzing the defence or dealing with the contentions raised by the delinquent, is inherently vague and cryptic and reflects non-application of mind. The gravity or seriousness of the charges cannot be invoked as a justification to dispense with the requirement of recording reasons. Even in the cases involving serious misconduct, the disciplinary authority is duty bound to demonstrate, through reasoned findings, how the charges stand proved despite the defence raised.





27. *The approach of Appellate Authority is equally unsustainable, which is expected to act as a forum of meaningful review and correction, but quite surprisingly, in the present case Appellate Authority has disposed of the Statutory Appeal in a mechanical manner, merely affirming the penalty order without independent consideration of the grounds urged or the legality and proportionality of the punishment imposed. Such a mechanical exercise defeats the very purpose of providing a departmental appeal and renders the appellate order vulnerable on the ground of arbitrariness. 28. In the absence of reasoned consideration at both disciplinary as well as appellate stages, the impugned penalty order dated 03.01.2013 along with the appellate order dated 25.07.2014 cannot be sustained in law and, therefore, writ petition filed by the petitioner is allowed. The penalty order dated 03.01.2013 and the appellate order dated 25.07.2014 are hereby quashed and set aside. Petitioner shall also be entitled for the consequential relief, which shall be sanctioned and released to the petitioner within a period of 60 days from the date of receipt of certified copy of this judgment."*

18. This Court is in complete agreement with the view taken earlier in the case of **Rajesh Kumar (supra)** and therefore does not find any reason to take a different view to that already taken in the case of **Rajesh Kumar (supra)**.

19. In the absence of reasoned consideration at both disciplinary as well as appellate stages, the impugned penalty order dated 25.08.2022 along with the appellate order dated 23.01.2026 cannot be sustained in law and, therefore, writ petition filed by the petitioner is allowed. The penalty order dated 25.08.2022 and the appellate order dated 23.01.2026 are hereby quashed and set aside. Petitioner shall also be entitled for the consequential relief, which shall be sanctioned and released to the petitioner within a period of 60 days from the date of receipt of certified copy of this judgment.

20. The writ petition is allowed, accordingly.

21. Pending application(s), if any, stand(s) disposed of.

(ANAND SHARMA),J