
(2025) 06 UK CK 0454
In the Uttarakhand High Court
Case No : Writ Petition (S/B) No. 63 Of 2021

Arshad Ali

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 09-06-2025

Acts Referred:

Citation : (2025) 06 UK CK 0454

Hon'ble Judges : Manoj Kumar Tiwari, J; Ashish Naithani, J

Bench : Division Bench

Advocate : T.A. Khan, Ganga Singh Negi

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. Petitioner is serving as Constable in Uttarakhand Police. Punishment of censure was imposed upon him by Senior Superintendent of Police, Dehradun vide order dated 04.04.2018 and by another order of same date, petitioner's integrity was also withheld. Petitioner filed a Departmental Appeal, which was dismissed by Deputy Inspector General of Police, Garhwal Range, vide order dated 17.11.2018.

2. Thereafter, petitioner approached Uttarakhand Public Service Tribunal by filing Claim Petition No. 95/SB/2019, challenging punishment orders passed by Senior Superintendent of Police and also order passed by Deputy Inspector General of Police on his Appeal.

3. Learned Tribunal partly allowed the claim petition vide judgment dated 07.01.2020 and set aside the orders whereby petitioner's integrity was withheld and dismissed the claim petition, qua punishment of censure.

4. Thus feeling aggrieved, petitioner has approached this Court, challenging punishment of censure imposed by Senior Superintendent of Police, as affirmed by the Appellate Authority. He has also challenged the judgment rendered by

learned Tribunal.

5. Heard learned counsels for the parties and perused the record. Punishment of censure was imposed upon the petitioner for abusing his position as a police officer as it was found that his wife purchased a house through a registered sale deed on 11.05.2017 from one Smt. Parul Gupta and investigation in respect of Criminal Case of forgery and cheating registered against Smt. Parul Gupta and her husband Devesh Gupta, was being investigated by the S.I.T.

6. Learned Tribunal has considered and discussed all the relevant aspects in detail and have given valid reason for repelling the challenge thrown by appellant to the punishment of censure. While exercising power of judicial review, learned Tribunal or this Court cannot go into the merits of the decision taken by the Disciplinary Authority.

7. The procedure laid down in the U.P. Police Officers of Subordinate Rank (Punishment and Appeal) Rules, 1991, which is applicable in the State of Uttarakhand also, was meticulously followed. Punishment was imposed upon the petitioner after considering his reply to the show cause notice.

8. For the aforesaid reasons, we are of the considered opinion that any interference in the matter would be unwarranted. Accordingly, Writ Petition fails and is dismissed.