(1999) 02 DEL CK 0069

In the Delhi High Court

Case No : C.W.P. No. 640 of 1990

Satish Mehra APPELLANT

Vs

Bank of India and Others RESPONDENT

Date of Decision : 15-02-1999

Acts Referred:
Constitution of India, 1950 — Article 226

Citation : (1999) 78 DLT 275 : (1999) 1 LLJ 1161

Hon'ble Judges : K. Ramamoorthy, J

Bench : Single Bench

Advocate : Party in perso, for the Appellant; Raj Birbal Vidhu Upadhaya and Archana Sinha, for the Respondent

Final Decision : Dismissed

Judgement

K. Ramamoorthy, J.—The petitioner has challenged the order of removal passed by the Disciplinary Authority which was confirmed by the Appellate Authority. From the records it appears that the father of the petitioner was the President of the Cricket Association in New Delhi. There was some investigation against the petitioner about opening of accounts in the names of fictitious persons in the second half of 1981. On 12.10.1981 petitioner submitted his resignation. On 10.12.1981 the Bank did not accept his resignation. On 4.1.1982 he was kept under suspension. On 31.3.1982 the Zonal Manager of the Bank wrote to the petitioner that the decision not to accept the resignation of the petitioner had been reconsidered and the resignation of the petitioner had been accepted and the petitioner stood relieved from the services of the Bank with immediate effect.

2. The petitioner did not accept this and he maintained that he continued to be the employee of the Bank. On 4.9.1982 the Zonal Manager wrote to the petitioner in the following terms:

"Please refer to your letter of 21st July, 1982 received by us on 24th July, 1982. In this connection, you may note that under our letter dated 31.3.82, we had advised you that the matter had been reconsidered by the General Manager and the Competent Authority and it had been decided to accept your resignation with immediate effect. This was done in your own interest.

2. Now that you insist that you have no intention to resign, the position as it stood before you were issued letter dated 31st March, 1982 is reverted to, and as you were under suspension on that date, you continue to be so suspended. For the period up to date you will be paid the subsistence allowance as per the rules.

In the circumstances stated above, there is no question of your being allowed to resume duties. Further communication as deemed fit will follow."

Thereupon on 5.7.1985 a charge-sheet was issued to the petitioner :

"STATEMENT OF ARTICLES OF CHARGE

That Shri Satish Mehra while functioning as an Officer in Bank of India, Ansari Road Branch, Daryaganj, Delhi during the period 1979 to 1980 committed misconduct inasmuch as he during the course of his employment as such, without the previous sanction of the Bank, engaged himself in the trade by running fictitious /non-existent firms in the name and style of M/s. Krishna Advertisers, New Delhi, (ii) M/s. Shivaji Advertisers, New Delhi, (iii) M/s. Advertising and Publicity Corporation, Delhi, (iv) M/s. Deepak Publicity Services, New Delhi, and (v) M/s. Rama Agencies, New Delhi, collected for and on behalf of Delhi and District Cricket Association (shortly DDCA) huge amounts through cheques favouring aforesaid firms from various parties/ advertisers on account of payments for releasing the advertisements during the test matches played between Australia v. India and Pakistan v. India in 1979, as also Shri Satish Mehra aforesaid collected commission cheques and deposited the same in Bank of India, Ansari Road Branch, Daryaganj, Delhi where he was working and later on utilised the amounts of the cheques for his personal use after withdrawing the same from the account of the parties which cheques were issued to the aforesaid five fictitious firms for alleged procurement of advertisements for and on behalf of DDCA, when in fact the advertisers had released the advertisements to DDCA directly after having direct negotiations with the concerned officer bearers/ officials of DDCA and on which no commission was payable, the details of the cheques collected and utilized withdrawn are given in Appendix-I.

2. That Shri Satish Mehra, aforesaid, also committed misconduct inasmuch as he against the normal banking procedure allowed the proceeds of the account payee cheques (as detailed in Appendix-II) credited to the account of the parties other than those in whose favor the account payee cheques were issued and received payments of the cheques (as detailed in Appendix-III) as well as allowed the proceeds of the cheques favouring Company (DDCA) to the account of other (Rama Agency) against normal banking procedure as the cheques favouring Company are not to be either paid in cash across the counter or to be credited to the account of the party other than the Company.

3. And thereby Shri Satish Mehra by his aforesaid acts of omission and commission engaged himself in the trade/business failed to ensure and protect the interest of the Bank as also failed to discharge the duties with integrity, honestly, devotion and diligence and proved himself to be unbecoming of a Bank Officer and thereby contravened the provisions of Rules 6 and 3(1) of the Bank of India, Officer Employees'' (Conduct) Regulations, 1976."

On 19.12.1985 a fresh charge-sheet was issued which runs as follows :

"Mr. Satish Mehra, Officer, Chandni Chowk Branch, resident of 1613, Pataudi House, Darya Ganj, New Delhi, was put under suspension in terms of Regulation 12(1)(a) of the Bank of India Officer Employees'' (Discipline & Appeal) Regulations, 1976, vide Orders No. CA:RBD:31, dated 4.1.1982 of the then Regional Manager, Delhi Region, & Competent Authority.

2. In the Suspension Order it was inter-alia mentioned that Mr. Satish Mehra on 25.9.1981 tore off at Bank''s Ansari Road Branch the ledger folios bearing Nos. 596 to 599 relating to the Current Deposit Account of M/s. Rama Agencies and 4 folios baring Nos. 160 to 163 relating to Current Deposit Account of M/s. Deepak Publicity Services.

3. The records reveal that the then Regional Manager, Delhi Region, and Competent Authority, on the basis of the material available before him, put the said reported acts of misconduct of Mr. Mehra in the Suspension Order. The Competent Authority, in view of the said reported acts and other material available before him put Mr. Mehra, Officer, under suspension in terms of Regulation 12(1)(a) of the said Discipline & Appeal Regulations.

4. The matter was further investigated and on carrying out further investigations it was revealed, in short, that the said Mr. Mehra, while functioning as officer at Bank''s Ansari Road Branch, Darya Ganj, Delhi, during the period 1979 to 1980, committed misconduct inasmuch as he, during the course of his employment as such, without the previous sanction of the Bank, engaged himself in the trade by running fictitious/non-existent firms in the names and styles of M/s. Krishna Advertisers, M/s. Shivaji Advertisers, New Delhi, M/ s. Advertising Publicity Corporation, Delhi, M/s. Deepak Publicity Services, New Delhi and M/s. Rama Agencies, New Delhi, collected for and on behalf of Delhi and District Cricket Association huge amounts through cheques favouring aforesaid firms from various parties/ advertisers on account of payments for releasing the advertisements during the test matches played between Australia v. India and Pakistan v. India in 1979. He also collected commission cheques and deposited the same in Bank of India, Ansari Road Branch, Darya Ganj, Delhi, and later on utilised the amounts of the cheques for his personal use after withdrawing the same from the account of the parties which (cheques) were issued to the aforesaid five fictitious firms for alleged procurement of advertisements for and on behalf of DDCA, when in fact the advertisers had released the advertisements to DDCA directly after having direct negotiations with the concerned office

bearers/officials of DDCA and on which no commission was payable. He also committed misconduct inasmuch as he against the normal banking procedure allowed the proceeds of the account payee cheques, credited to the account of the parties other than those, in whose favor the account payee cheques were issued and also received cash payments of the cheques favouring DDCA, a limited company against normal banking procedure etc. etc,

5. Based on the said further investigation Mr. Mehra was issued Memorandum RM:DA:4:753, dated 5.7.1985, Along with the Statement of Articles of Charge together with the Statement of Allegations in support of the Articles of Charge by the then Regional Manager and Disciplinary Authority. The departmental enquiry against Mr. Mehra for the said charges is pending.

6. The charges leveled through the said Articles of Charge and Statement of Allegations incorporate amongst other accounts, the accounts of M/s. Rama Agencies and M/s. Deepak Publicity Services, the ledger folios of which were reported to have been torn off by Mr. Mehra on 25.9.1981.

7. The acts of misconduct alleged to have been committed by the said Mr. Mehra through the Suspension Order of 4.1.1982, were pending my consideration.

8. I, after carefully examining the material on record in support of the said charges incorporated in the said Suspension Order and in exercise of the powers conferred on me as Disciplinary Authority in terms of Resolution adopted by the Board'' of Directors at their meeting dated 17.5.1982, enclose this memorandum Along with the Statement of Articles of Charge together with Statement of Allegations in support of the said Articles of Charge.

9. Mr. Mehra is directed to submit his written statement of defense within 15 days on receipt hereof. Mr. Mehra is further directed to specifically admit or deny each charge leveled against him while submitting his written statement of defense. ,

10. Mr. Mehra should note that if no written statement of defense is received within the time stipulated here above, I would proceed further in the matter in terms of Regulation 6(4) of the said discipline and Appeal Regulations.

11. I am not inclined to lift the suspension of Mr. Mehra as requested by him, as the charges leveled against the said Mr. Mehra are serious in nature and his presence in the Bank''s premises may be prejudicial to the Bank''s interest. Mr. Mehra, Therefore, continues to remain under suspension pending departmental enquiry.

12. A copy of this Memorandum Along with the Statement of Articles of Charge together with the Statement of Allegations in support of the Articles of Charge of even date is being sent by Registered Post Acknowledgement Due to Mr. Mehra at his last known address i.e. 1613, Pataudi House, Darya Ganj, New Delhi-110002."

The petitioner gave his Explanation and enquiry was conducted. On 18.3.1987 the Inquiry Officer submitted his report. The finding which is relevant for the present purpose given by the Inquiry Officer in paragraph 12 is as under :

"The charge of having torn off the ledger folios No. 596-599 of M/s. Rama Agencies and 160-163 of M/s. Deepak Publicity Services by Mr. Satish Mehra, the Charged Officer on 25.9.81 around 10.00 a.m,. when he came to operate his locker No. 113 stands established. The objective of destroying the ledger folios was to temper with/destroy the evidence available in support of the charges pending investigation by CBI, the charge-sheet for some of which was issued by the Bank on 5.7.85. These acts of the Charged Officer establish the misconduct of failing to take all possible steps to ensure and protect the interests of the Bank and for committing acts unbecoming of a Bank Officer, which amount to acts of misconduct in terms of Regulation 3(1) read with Regulation 24 of the Bank of India Officer Employees (Conduct) Regulations, 1976."

On 22.6.1987 the Joint Zonal Manager, Northern Zone passed the order removing the petitioner from service. The order reads as under :

"The disciplinary proceedings for major penalty under Regulation 6 of the Bank of India Officer Employees'' (Discipline & Appeal) Regulations, 1976 were instituted against Mr. Satish Mehra, Staff Officer (Under Suspension) resident of 1613, Pataudi House, Darya Ganj, New Delhi.

2. He was issued Memorandum No. ZM:DA:4:1231 dated 19.12.85 Along with the Statement of Articles of Charge No. ZM:dA:4:1229 and Statement of Allegations No. ZM:DA:4:1230 dated 19.12.1985by the Zonal Manager and the then Disciplinary Authority.

3. The then Deputy Zonal Manager & Disciplinary Authority, in exercise of the powers conferred on him, in terms of Special Order dated 1.1.1986 of the Chairman & Managing Director, appointed Mr. S.K. Sudhir as Inquiring Authority, vide his Order No. DZM:DA:4:66 dated 20.2.1986 to enquire into the truth of the charges leveled against the said Mr. Mehra, Officer (under suspension).

4. On my reporting as Deputy Zonal Manager at Northern Zone on transfer of Mr. P.P. Abraham, the then Deputy Zonal Manager and Disciplinary Authority I acquired the status of Disciplinary Authority in terms of Order dated 15.2.1986 of the Chairman and Managing Director. I continue to be the Disciplinary Authority for the said Mr. Mehra on my promotion and taking over as Joint Zonal Manager of Northern Zone.

5. I, after carefully examining the Memorandum, Statement of Articles of Charge and Statement of Allegations in support of the Articles of Charge dated 19.12.1985 and the entire material on record, adopt the same and other orders etc. served upon the said Mr. Satish Mehra.

6. Mr. S.K. Sudhir, Inquiring Authority, conducted the enquiry against the said Mr. Mehra info the charges leveled against him, vide Articles of Charge dated

19.12.1985. He submitted to me his findings dated 18.3.1987.

7. I accept the findings of Inquiring Authority holding Mr. Satish Mehra guilty of the charge leveled against him, vide Articles of Charge dated 19.12.1985. A copy of the said report of the Inquiring Authority is being forwarded to the Charged Officer with this order.

8. I have again carefully gone through the charges leveled against the said Mr. Mehra, the entire proceedings, findings of the Inquiring Authority and the material on record.

9. The accusation proved against Mr. Mehra is quite serious inasmuch as it is established that he, on 25.9.1981, tore off at Bank''s Ansari Road Branch the ledger folios bearing No. 596 to 599 relating to the Current Deposit Account of M/s. Rama Agencies and four folios bearing Nos. 160 to 163 relating to the Current deposit Account of M/s. Deepak Publicity Services with the object of destroying the evidence available in support of some of the charges in respect of the said accounts which were pending investigation at the relevant time. This in turn establishes the misconduct of failing to take all possible steps to ensure and protect the interests of the Bank and for committing acts unbecoming of a Bank Officer, which amount to acts of misconduct in terms of Regulation 3(1) read with Regulation 24 of the Bank of India Officer Employees'' (Conduct) Regulations, 1976.

10. Considering the gravity of the misconduct established in the enquiry against Mr. Mehra, I am of the view that it is not desirable to keep him in the services of the Bank. His presence in the Bank''s premises is prejudicial to its interest.

11. I, Therefore, award the penalty of removal from Bank''s services in terms of Regulation 4(g) of the Bank of India Officer Employees'' (Discipline & Appeal) Regulations, 1976. Mr. Satish Mehra, Charged Officer be and is hereby removed from the Bank''s service in terms of Regulation 4(g) of the Bank of India Officer Employees'' (Discipline & Appeal) Regulations, 1976.

12. I may clarify that the suspension of the said Mr. Mehra vide Order dated 4.1.1982 was justifiable and as such he would not be entitled to any pay and allowance for the suspension period and the said period of suspension would also not be treated as period spent on duty.

13. A copy of this Order Along with a copy of the findings of the Inquiring Authority is being sent by Registered Post Acknowledgement Due to Mr. Satish Mehra at his last known address i.e. 1613, Pataudi House, Darya Ganj, New Delhi-110 002."

The petitioner preferred an appeal to the Appellate Authority. On 5.3.1988 the Appellate Authority confirmed the order of Disciplinary Authority and the order is as under :

"Shri Satish Mehra, Ex-Officer, Chandni Chowk Branch, has submitted an appeal dated 3.8.1987 against major penalty of removal from Bank''s service imposed on him by Shri R.N. Sen, Joint Zonal Manager, Northern Zone and Disciplinary Authority vide his Order dated 22.6.1987. I have been empowered by the Reviewing Authority to act as Appellate Authority in terms of Chairman''s Special Order dated 17.8.87.

2. Shri Mehra in his appeal has mainly contended that:

(i) He has become a victim of politics prevailing in Delhi Zone.

(ii) The Bank has not considered his resignation letter and Bank''s action in initiating disciplinary proceedings against him, after acceptance of his resignation on 31.3.1982, is arbitrary and illegal.

(iii) The period of the Privilege leave from 29.9.1981 to 21,12.1981 was considered as unauthorised absence and the wages were deducted from subsistence allowance payable to him which is against the rules.

(iv) The enquiry against him is held after a period of more than 3 years from the date of his suspension. His representation dated 23.5.1986 to the Chairman for dropping of disciplinary action was also not considered by the Bank.

(v) Shri R.N. Sen was not competent to pass the Order as he was not Deputy Zonal Manager on 22.6.1987.

(vi) Enquiry report is not based on evidences.

(vii). The Inquiring Authority has held the charges as proved as he was pressurised from the Management. He has disbelieved the statements of PW-2 Shri D.P. Shukla, PW-3 Shri Lallu, tea boy, and PW-9 Smt. Prema Devi, sweeper, because they have not supported the case of Management. He has relied upon the evidence of PW-1 Shri A.K. Sharma even though his version was different from other 2 witnesses. Evidence of PW-5 Shri P.L. Gupta is also not reliable as he was not an eye-witness to the incident of tearing off Ledger pages and also he could not definitely say whether the said pages were in fact prior to the incident. Similarly, evidence of PW-6 Shri Mukesh Mittal is also inadmissible. Evidence of PW-8 Shri Gill who conducted preliminary investigation is also not reliable as he has admitted that he did not contact persons/proprietors of the accounts of Rama Agencies and Deepak Publicity Services. However, the Inquiring Authority has based his findings on their evidences. The charge of his second visit at 2.30 p.m. to Ansari Road Branch is based only on the statement of PW-1 Shri Sharma whose evidence is not reliable.

(viii) Bank has not suffered any financial loss.

3. Bank of India Officer Employees'' (Discipline & Appeal) Regulations, 1976, do not provide for giving personal hearing to an Officer employee at appellate stage. However, since the penalty of removal was imposed on Shri Mehra, the undersigned gave him personal hearing at Bombay on 18.1.1988. During personal hearing Shri Mehra contended that a rival Cricket Association under the

banner of DACA, headed by Shri Kamal Nath, M.P., whose main aim was to remove Shri Mehra''s father from the post of President of DDCA, influenced the Bank officials in Industrial Relations Department who misguided the management of the Bank and thus he was suspended and charge-sheeted. He also reiterated that he was not paid subsistence allowance during suspension and his resignation was also not properly considered. He has been made a victim of the politics just because his father was the President of DDCA. He has alleged that Inquiring Authority Shri Sudhir held the charges as proved even though he was finding it difficult to prove. The Inquiring Authority was to be interviewed before Shri A.D. Rege, General Manager and Therefore he was left with no choice but to prove the charges and submit the findings before the interview date to please him. Hence the enquiry report is only a farce.

4. I have scrutinised Articles of Charge and Statement of Allegations served on Shri Mehra, Findings of the Inquiring Authority, Penalty Order and Minutes of personal hearing and all other relevant papers. I observe that:

(i) Shri Mehra was charge-sheeted for specific acts of misconduct and the decision to initiate disciplinary action against him was based on material evidences on record. As such, it is incorrect on his part to say that he became a victim of politics prevailing in Delhi Zone.

(ii) The issues raised by Shri Mehra regarding his resignation are irrelevant as far as the penalty for the misconduct committed by him is concerned. Shri Mehra was suspended on 4.1.1982. Subsequently Bank conveyed acceptance of his resignation in April, 1982 that he had no intention to resign and as such the Bank decided that he be continued under suspension. Hence, question of acceptance of resignation does not arise.

(iii) In his representation dated 23.5.86 to the Chairman, Shri Mehra had raised the matter pertaining to the acceptance of his resignation and consequential discharge etc. and had requested for dropping the disciplinary action against him. The matters referred in the representation were irrelevant to the subject-matter of enquiry and hence there was no question of considering the same.

(iv) The issues raised by him regarding privilege leave and payment of subsistence allowance are also not material as far as appeal against penalty is concerned because these are governed by separate service conditions and have been dealt with accordingly.

(v) Shri Mehra claims that he was suspended vide order dated 4.1.1982 for the charges of tearing off ledger folios. However, chargesheet issued on 5.7.1985 did not contain these charges which means he was exonerated from the charges for which he was suspended. Hence issuance of subsequent charge-sheet dated 19.12.1985 is illegal. From the perusal of the records of the case, I find that the charge-sheet dated 5.7.1985 is for his misconduct of engaging himself in trade by running fictitious firms for which separate enquiry was being held. Merely issuance of second charge-sheet subsequent to the charge sheet dated 5.7.1985 does not mean that the charge for which he was suspended has been dropped. In the covering memo to the Articles of Charge; dated 19.12.1985, the representations dated 16.11.1985 of Shri Satish Mehra regarding non-issuance of charge-sheet pertaining to tearing off ledger folios have been dealt with at length by the Disciplinary Authority and I agree with the reasons given by the Disciplinary Authority for initiating action against Shri Mehra subsequently.

(vi) Shri Mehra has alleged that Inquiring Authority has held the charges as proved under pressure from management though he was finding it difficult to establish the charges; as i t took more than 3 1/2 months for him to prepare the findings. This allegation is irrelevant and incorrect. The Inquiring Authority independently assessed and evaluated oral/ documentary evidences while holding the charges as proved. I

(vii) Shri R.N. Sen, Joint Zonal Manager, was competent to pass the penalty order in terms of Proviso (d)(iii) to Order dated 28.5.1987 of the then Executive Director and Chief Executive Officer appointing Disciplinary Authority for officers.

(viii) Shri Mehra has also pleaded that he had no connection with the accounts of M/s. Rama Agencies and M/s. Deepak Publicity Services and no purpose could have been achieved by his tearing off the sak ledger folios as the same could have been reconstructed. This plea of Shri Mehra is not tenable since Shri Mehra alone had interest in the said accounts and he destroyed the said ledger folios with a view to destroy evidence in connection with case registered by CBI against Delhi District Cricket Association whose President at the relevant time was Shri R.P. Mehra, father of the appellant.

(ix) During personal haring, Shri Mehra reiterated his points earlier mentioned in his appeal. The points raised by him are mere repetitions of his contentions as made in his appeal and no new points of extenuating circumstances have been brought out by him.

5. The Inquiring Authority has rightly held the charges of having torn the ledger folios 596 to 599 of the current account of M/s. Rama Agencies and 162 to 163 of M/s. Deepak Publicity Services by Shri Mehra on 25.9.1981 around 10 a.m. when he came to operate his locker No. 113 as established against him. The sole object of destroying the same was to destroy the evidence available in support of the charges pending investigation by CBI, the charge-sheet for some of which was issued by the Bank on 5.7.1985.

6. Shri Mehra has committed acts which are unbecoming of a Bank Officer and which amount to acts of misconduct in terms of Regulation 3(1) read with Regulation 24 of Bank of India Officer Employees'' (Conduct) Regulations, 1976, Bank is a financial institution where utmost honesty and integrity is called for. Employee found guilty of mala fides or dishonesty cannot be retained in Bank''s service. The charges leveled against Shri Mehra and proved in enquiry are quite serious. Major penalty of removal from service imposed by the Disciplinary Authority is commensurate with the gravity of the misconduct I, Therefore, do

not find any justification to interfere with the order of the Disciplinary Authority, Accordingly, I confirm the major penalty of removal from Bank''s service awarded to Shri Mehra by the Disciplinary Authority.

Dated at Bombay this fifth day of March, One thousand nine hundred eighty eight."

3. The petitioner, as I had noticed above, has challenged these two orders.

4. The petitioner argued the matter in person and he submitted that the order of suspension was issued by an authority who was not competent to issue, (2) the order was issued with mala fide intention. The charge-sheet dated 5.7.1985 had given a go-bye and no action had been taken to prove the charges mentioned therein and, Therefore, a fresh charge-sheet was issued on 19.12.1985. Inquiry was conducted and the finding had been rendered and according to the petitioner it is a case of no evidence. From the materials available on record, no person properly instructed in law would come to the conclusion that the petitioner is guilty of any offence.

5. The Joint Zonal Manager who passed the order of removal was not competent and he was not his Disciplinary Authority and according to the petitioner the Disciplinary Authority was the Zonal Manager.

6. The main charge against the petitioner was that on 25.9.1981 the petitioner had torn off the ledger folios in Bank in Ansari Road Branch bearing Nos. 596 to 599 relating to the current deposit account of M/s. Rama Agencies and ledger folios No. 160 to 163 relating to the current deposit account of M/s. Deepak Publicity Services with the object of destroying the evidence available in support of the charges. The petitioner referred to the judgment of the Calcutta High Court in Amulya Ratan Mukherjee Vs. Deputy Chief Mechanical Engineer, Eastern Rly. and Others, to show that enquiry deemed to have started on the date the charge-sheet memo had been issued. He also referred to the judgment of the Supreme Court in Union of India Vs. K.V. Jankiraman, etc. etc., for the same proposition. The petitioner also referred to the judgment of Supreme Court in Bhagwati Prasad Dubey Vs. Food Corporation of India and Another, for the proposition that the Court can interfere when there are no materials to support the finding or if the finding is based on no evidence. For the same proposition, the petitioner referred to the judgment of the Calcutta High Court Amulya Ratan Mukherjee Vs. Deputy Chief Mechanical Engineer, Eastern Rly. and Others, .

7. The objection raised by the petitioner that the authority who was no competent to pass the suspension order and the Zonal Manager had no power to pass the order of removal cannot at all be countenance and I do not find any substance in this submission,

8. The submissions that the charge-sheet memo dated 5.7.1985 had been referred to without any proof thereof and the charges mentioned in the memo dated 19.12.1985 have not been substantiated cannot also be accepted. I have

gone through the report of the Inquiry Officer and on a consideration of the materials placed before him in the light of the defense set up by the petitioner that on 25.9.1981 at the relevant time he was in a different branch and he has come to the conclusion that the offence against the petitioner has been fully established. The Disciplinary Authority has given cogent reasons for concurring the view taken by the Inquiry Officer. The Appellate Authority has considered the matter in detail and in accordance with law. I am not able to persuade myself to accept the submissions of the petitioner that this is a case of no evidence. I am unable to accept any of the submissions made by the petitioner.

9. Accordingly, the writ petition stands dismissed. There shall be no order as to costs.

