



2026:AHC:21940-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1 of 2026

Durga Prasad Sharma

.....Petitioner(s)

Versus

Union of India and 7 others

.....Respondent(s)

Counsel for Petitioner(s) : Arun Kumar Singh

Counsel for Respondent(s) : Shashi Prakash Singh (A.S.G.I.),
Jigyasa Singh

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. This writ petition is directed against order dated 04.09.2025 passed by Central Administrative Tribunal, Allahabad Bench, Allahabad in Original Application No. 843 of 2021 (O.A.), whereby the O.A. filed by the petitioner aggrieved of the orders passed by the Disciplinary Authority and the Appellate Authority, whereby punishment of stoppage of one Grade increment with cumulative effect was imposed, has been dismissed.
2. The charge sheet was served on the petitioner, inter alia, qua refusing to take charge of the vehicle alongwith T&P and OHE spare parts from the retiring senior motor vehicle driver. The petitioner responded to the charge sheet denying the charge and indicating that he had not refused to take the charge of the vehicle alongwith T&P and OHE spare parts but had only asked that when he would be on leave, who would be having the charge of the said T&P and OHE spare parts, which was incorrectly taken as refusal to take charge.
3. The Inquiry Officer, after conducting the inquiry, came to be conclusion that the petitioner was guilty of the charge and the Disciplinary Authority, after issuing notice to the petitioner, imposed punishment of stoppage of two Grade increments with cumulative effect.

4. Feeling aggrieved, the petitioner filed appeal. The Appellate Authority upheld the charge against the petitioner, however, reduced the penalty from withholding of two Grade increments with cumulative effect to withholding of one Grade increment with cumulative effect.

5. Aggrieved of the same, the O.A. was filed, wherein the Tribunal, after hearing the parties, came to the conclusion that nothing was brought out to seek interference from the Tribunal and consequently, dismissed the O.A.

6. Counsel for the petitioner reiterated the submission that charge levelled against the petitioner was incorrect. He had never refused to take charge of the vehicle alongwith T&P and OHE spare parts, as charged, and therefore, the Disciplinary Authority, Appellate Authority and Tribunal were not justified in imposing/upholding the penalty.

7. Counsel for the respondents supported the orders impugned.

8. We have considered the submissions made and have perused the material available on record.

9. The Inquiry Officer, after thoroughly analysing the evidence, which was led by the parties, came to the conclusion that the petitioner was guilty of refusing to take charge of the vehicle alongwith T&P and OHE spare parts, which finding was accepted by the Disciplinary Authority and the Appellate Authority. The higher punishment imposed by the Disciplinary Authority was relaxed by the Appellate Authority.

10. The indication made seeking to question the finding of the Inquiry Officer, essentially is not available inasmuch as the finding, which has been recorded, is based on the material, which was available before the Inquiry Officer and the Tribunal, after examining the issue as raised, has upheld the same.

11. The standards of examining an evidence before the Departmental Authority is that of preponderance of probabilities and not strict proof, which is sought to be applied by counsel for the petitioner.

12. In view thereof, we do not find any reason to interfere with the order

passed by the Tribunal. There is no substance in the petition. The same is, therefore, **dismissed**.

(Kshitij Shailendra, J) (Arun Bhansali, CJ)

February 2, 2026

RK/SL