



**IN THE HIGH COURT OF MADHYA PRADESH**  
**AT GWALIOR**

**BEFORE**

**HON'BLE SHRI JUSTICE ANAND SINGH BAHRAWAT**

**ON THE 15<sup>th</sup> OF SEPTEMBER, 2025**

**WRIT PETITION No. 7546 of 2014**

***DINESH KUMAR SOLANKI***

*Versus*

***THE STATE OF MADHYA PRADESH AND OTHERS***

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**Appearance:**

*Shri Divakar Vyas – Advocate for petitioner.*

*Shri Yogesh Parashar – Government Advocate for respondent/State.*

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**ORDER**

Heard on IA. No.10398 of 2025.

Considering the averments made in the application, the same is allowed and the documents annexed therewith are taken on record.

1. This petition, under Article 226 of Constitution of India, has been filed seeking the following relief (s):

“i) That, the impugned order dated 21.8.2014 Annexure P/1 and order dated 7.2.2013 Annexure P/2 may kindly be quashed.

ii) Any other suitable direction which this Hon'ble Court deems fit in the facts and circumstances of the case may kindly be passed.”



2. Petitioner has challenged the order passed by the Disciplinary Authority dated 07.02.2013 by which punishment of withholding one increment with cumulative effect has been imposed. The said order has been challenged by petitioner on various grounds but the main ground is that at the time of issuance of order, the enquiry report pertaining to enquiry conducted by the committee constituted by Principal Secretary, Panchayat & Rural Development Department [State Level Committee (राज्य स्तरीय क्वालिटी मॉनिटर की समिति)] has not been taken into consideration.

3. Learned counsel for petitioner submitted that as per the report of aforesaid committee clean-chit had been given to petitioner but the Enquiry Officer, Disciplinary Authority and Appellate Authority have not considered the committee report and passed the orders impugned herein.

4. *Per contra*, learned Government Advocate appearing on behalf of respondent/State submits that petitioner had not submitted the certified copy of the committee report before the enquiry officer. Therefore, the enquiry officer has not considered the same.

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

6. As per reply to the enquiry report dated 15.06.2012, petitioner has mentioned about State Level Committee (राज्य स्तरीय क्वालिटी मॉनिटर की समिति) but at the time of issuance of order dated 07.02.2013, the Disciplinary Authority did not consider the said report and before the Appellate Authority also the petitioner has mentioned about the enquiry report in para 2 in his appeal memo but the Appellate Authority has also not considered the same while issuance of appeal rejection order dated 21.08.2014.



7. Considering the above, present petition stands *disposed of* in the following manner:

(i) Appeal rejection order dated 21.08.2014 (Annexure P-1) and punishment order dated 07.02.2013 (Annexure P-2) passed by the Disciplinary Authority are hereby quashed.

(ii) Petitioner is directed to submit a fresh reply/representation before the Disciplinary Authority within a period of one month from today.

(iii) The Disciplinary Authority is directed to decide the matter afresh after considering State Level Committee (राज्य स्तरीय क्वालिटी मॉनिटर की समिति) report running from Page 36 to 37 which has been filed in this petition as Annexure P-11 (collectively) with a period of three months from the date of receipt certified copy of this order.

(iv) The Disciplinary Authority is also directed to provide personal opportunity of being heard to petitioner before deciding the matter.

(v) The Disciplinary Authority is also directed to consider the fresh reply/representation and decide the matter by passing a reasoned and speaking order as per law.

8. It is made clear that this Court has not expressed any opinion on the merits of the case.

**(Anand Singh Bahrawat)**  
**Judge**