

**HIGH COURT OF JAMMU AND KASHMIR AT JAMMU**  
**(Chief Justice's Secretariat)**

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**Subject: *Imposition of penalty upon Shri Sanjay Jeet, Senior Assistant, Principal District & Sessions Court, Jammu.***

**ORDER**

No. 1301

Dated: 01-01-2018

Whereas, Shri Sanjay Jeet, Senior Assistant, during his posting as Reader/Sr. Assistant in the Court of Addl. District Judge (Bank cases), Jammu, did not attend his duties and remained unauthorisedly absent from duty without prior permission or sanction of leave w.e.f 15.03.2011 to 17.04.2011, 06.06.2011 to 11.06.2011 and 02.07.2011 to 30.07.2011.

Whereas, during the course of preliminary enquiry conducted against Shri Sanjay Jeet, Sr. Asstt. by Addl. District Judge (Bank cases), Jammu, it was established that he was unauthorisedly absent from duty w.e.f 15.03.2011 to 17.04.2011, 06.06.2011 to 11.06.2011 and 02.07.2011 to 30.07.2011.

Whereas, even after transfer of said Shri Sanjay Jeet to the court of Addl. District & Sessions Judge, Rajouri as Reader, he again remained unauthorisedly absent from duty w.e.f. 19.10.2011 to 02.01.2012 without prior permission or sanction of leave.

Whereas, the matter was placed before the Competent Authority (Hon'ble the Chief Justice) and his Lordship was pleased to direct that disciplinary proceeding be initiated against delinquent official for his un-authorised absence from duty w.e.f 15.03.2011 to 17.04.2011, 06.06.2011 to 11.06.2011, 02.07.2011 to 30.07.2011 and from 19.10.2011 to 02.01.2012.

Whereas, pursuant to aforesaid order of the Competent Authority, charge sheet was framed against the delinquent official and delivered to him against proper receipt on 02.02.2012, through PDJ Court, Rajouri.

Whereas, the delinquent Official was required to submit his reply to the charge sheet within 15 days from the date of receipt of the memorandum of charge but, despite the receipt of charge sheet he did not reply to the charge sheet.

Whereas, vide this Secretariat's letter No. 120/PSY-278 dated 28.05.2013, one week's further time was given to the delinquent official for filing his reply to the charge sheet but, he did not reply. Again, vide this Secretariat's letter No. 1307/PSY-278 dated 21.11.2013, he was directed to submit his reply to the Charge

sheet within an extended period of 15 days from the date of receipt of the notice, but he did not respond.

Whereas, in the meanwhile the delinquent official, Shri Sanjay Jeet was transferred to the Court of Principal District & Sessions Judge, Jammu, and Id. Principal District & Sessions judge, Jammu, vide his communication No. 5278/PDSJ/J dated 12.01.2015, intimated that the delinquent official is continuously absent from duty since 11.12.2014.

Whereas, when the delinquent official, despite repeated extension of time for filing his reply to the Charge sheet, did not file his reply to the charge sheet, the Competent Authority was pleased to order that the case be referred to the Registrar Vigilance for conducting enquiry against the delinquent official.

Whereas, pursuant to aforesaid order of the Competent Authority the Registrar Vigilance started regular enquiry against the delinquent official and on its conclusion submitted his report to the Competent Authority (Hon'ble the Chief Justice). The Competent (Hon'ble the Chief Justice) considered the enquiry report of the Registrar Vigilance and was pleased to pass the following order:

***"Dismissal from service is proposed. Notice be given to D.O. so that he may represent against the proposed punishment."***

Whereas, as directed by the Competent Authority, a notice, No. 1608/PSY-278 dated 12.07.2017, in terms of Rule 34 of J&K Civil Service (Classification, Control and Appeal) Rules, 1956, herein after referred to as "Rules 1956", was issued to the delinquent official to show cause as to why the proposed major punishment of dismissal from service may not be imposed upon him as provided under Rule 30 of Rules 1956. The delinquent official was directed to send his representation, if desirous, to this Secretariat within three weeks i.e. by or before 02.08.2017.

Whereas, the Notice, alongwith copy of the proceedings of the enquiry, was forwarded to the Principal District & Sessions Judge, Jammu with the request to serve the same upon the delinquent official against a proper receipt.

Whereas, the Principal District & Sessions Judge, Jammu, vide his communication No. 6042/PDSJJ dated 21.08.2017, intimated that the service of the notice No. 1608/PSY-278 dated 12.07.2017 could not be effected upon the delinquent official Shri Sanjay Jeet because, as per the report of the brother of the delinquent official, his whereabouts are not known for the last one and a half year.

Whereas, in view of the aforesaid circumstances, after seeking approval from the Competent Authority, the notice against the delinquent official, regarding making representation against the proposed punishment of dismissal from service,

was published in the leading daily newspaper "Daily excelsior" in its issue dated 22<sup>nd</sup> of October, 2017, whereby, the delinquent official was asked to submit his representation within three weeks from the date of its publication. However, despite lapse of more than two months from the date of publication of the notice, the delinquent official neither submitted his representation against the proposed punishment nor resumed his duties.

Whereas, the delinquent official, as reported by the concerned Presiding officer and also as it reveals from the enquiry report of the Enquiry Officer, is continuously absent from duty w.e.f 05.02.2015 and his whereabouts are not known as he has absconded without leaving his address or contact number.

Whereas, during the course of regular enquiry, despite due service of notices, the delinquent official Shri Sanjay Jeet did not cooperate with the enquiry officer nor did he respond to the show cause notice of this Secretariat issued to him in terms of Rule 34 of Rules 1956. The disinterest shown by the delinquent official to cooperate with the enquiry officer or to reply the notice of this Secretariat with regard to the proposed punishment of dismissal from service also makes it manifest that he has no interest in the job left by him without any information.

Whereas, on a detailed note of this Secretariat dated 30.12.2017, the Competent Authority (Hon'ble the Chief Justice) has been pleased to pass the following order:

*"Despite service of Notice in terms of Rule 34 of J&K Civil Services (Classification, Control and Appeal) Rules, 1956 the D.O. has not responded. Consequently, he is dismissed from service as proposed."*

Therefore, pursuant to the aforesaid order of the Competent Authority, Shri Sanjay Jeet, Senior Assistant posted in the Court of Principal District & Sessions Judge, Jammu is dismissed from service with immediate effect.

**By Order.**

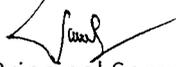
  
(Jawad Ahmed)  
Principal Secretary to  
Hon'ble the Chief Justice

No. 2366-70/PSY-278

Dated: 01-01-2018

Copy to the:

1. Registrar General, High Court of J&K, Jammu.
2. Registrar Vigilance, High Court of J&K, Jammu.  
..... for information.
3. Pr. District & Sessions Judge, Jammu for information and necessary action.
4. Director Information J&K Government, Jammu with the request to publish the same in the Daily Excelsior, Jammu.
5. ✓ I/C NIC, Jammu wing of the High Court for uploading in the High Court website.

  
Principal Secretary to  
Hon'ble the Chief Justice