

unconstitutional. The order dated 30th June 2010 clearly shows the intention of the authorities to conduct fresh inquiry.

18. That the Additional Secretary without any authority appointed a biased officer as Inquiry Officer of the petitioner who is in fact an immediate superior officer of the petitioner. The petitioner further states that he doubts that the entire initiation of fresh inquiry has been done upon the intervention of Smti S.K.P. Sodhi, Secretary (Social Welfare / Tribal Welfare). This is for the reason that once when the petitioner while serving as Assistant Commissioner (Tribal Welfare) put up a note / file before Smti S.K.P. Sodhi, Secretary (Social Welfare / Tribal Welfare) containing the fact relating to drawl of house rent allowance by one Smti Jolly Thomas, PA to Smti S.K.P. Sodhi, Secretary (Social Welfare / Tribal Welfare) to be against the law as the husband of Smti Jolly Thomas was already allotted a quarter by General Manager, CCS Ltd. who was the employer of the husband of Smti Jolly Thomas. When the file was placed before Smti S.K.P. Sodhi, Secretary (Social Welfare / Tribal Welfare) by the petitioner, Smti S.K.P. Sodhi, Secretary (Social Welfare / Tribal Welfare) refused to act on the said note and advised the petitioner not to go further in the issue. The petitioner did not accept the suggestion of Smti S.K.P. Sodhi, Secretary (Social Welfare / Tribal Welfare) and asked Smti S.K.P. Sodhi, Secretary (Social Welfare / Tribal Welfare) to take action as the said disbursement of HRA to Jolly Thomas was against the rules. Being the drawing and disbursing officer, the petitioner was also under the duty to inform his superior about the illegality of such nature. Despite clarifying the