



2025:DHC:10329-DB



\$~24

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5758/2025**

BHUPENDER

.....Petitioner

Through: Mr. Avadh Bihari Kaushik and
Mr. Rishabh Kumar, Advocates

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Himanshu Pathak, SPC
with Mr. Rahul Kumar Sharma, GP with Mr.
Yespal Insp., Mr. Yadav, Insp. and Rotesch
for CISF

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

%

21.11.2025

C. HARI SHANKAR, J.

1. The controversy in this writ petition is whether the original domicile certificate dated 8 September 2022, which was tendered by the petitioner at the time of obtaining employment as Constable in the CISF¹, was genuine.

2. The respondents rely upon a Verification Report dated 26 November 2024 obtained from the Tehsildar, from whose office the domicile certificate was purportedly issued, which states that the certificate was fabricated. *Inter alia*, the letter relies on fact that the

¹ Central Industrial Security Force



2025:DHC:10329-DB



records of the school where the petitioner was supposed to have studied in 2011-2012, as reflected in the school certificate, did not show the name of the petitioner as one of the students in that year. Further the letter also relies on the statement made by the person who was supposed to have signed the domicile certificate, disowning his signature and stating that the petitioner never appeared before him.

3. As against this, Mr. Kaushik, learned counsel for the petitioner, places reliance on the fact that the domicile certificate, in fact, is reflected even on the website of the Chhattisgarh Government and continues to be so reflected. He further relies upon on a certificate dated 12 March 2025, issued by the Vice President of the Municipal Council, Gurur, District Balod, Chhattisgarh, stating that the petitioner was residing in Gurur in 2022, as per the domicile certificate.

4. Clearly, there are several disputed issues of facts involved, which it may not be possible for us to adjudicate within Article 226 of the Constitution of India.

5. One fact, however, does remain, which is that, even if the petitioner was on probation - which is also in dispute - his services could not have been terminated on the ground that he had obtained employment by submitting a forged certificate without giving him an opportunity of hearing.

6. Accordingly, we dispose of this writ petition with a direction to the respondents to treat this writ petition as a representation, afford an



2025:DHC:10329-DB



opportunity of hearing to the petitioner, for which purpose the petitioner would present himself before the officer, whose name would be communicated to Mr. Kaushik, learned counsel for the petitioner, during the course of the day, on 28 November 2025 at 11 am, and to pass a fresh order.

7. We also expect that before arriving at its decision, the respondents would carry out a thorough inquiry with all the concerned Governmental authorities, so that a clear picture can emerge with respect to the correctness of the domicile certificate submitted by the petitioner.

8. Before relying on any additional material against the petitioner, the petitioner would be given an opportunity to meet the said material.

9. Let a fresh decision be taken by way of a reasoned and speaking order dealing with all issues raised by the petitioner, within a period of four months from today and be communicated to the petitioner by the respondents.

10. Should the petitioner continue to remain aggrieved, the rights of the petitioner, in law, would remain reserved.

11. We make it clear that we have not expressed any opinion on the issue in controversy one way or the other as it is highly disputable even on facts.



2025:DHC:10329-DB



12. The petition stands disposed of, in the aforesaid terms with no orders as to costs.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

NOVEMBER 21, 2025/yg