



2025:DHC:9907-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10554/2021 and CM APPL. 28061/2024**
ZAHID MAHMOODPetitioner

Through: Petitioner in person

versus

UNION OF INDIA AND ORSRespondents

Through: Mr. Farman Ali, CGSC with
Ms. Usha Jamnal, Mr. S. Devesh Tripathi,
DC, Legal, CISF, Mr. Sohan Lal, Dept.
Comdt., Mr. Sanjay Insp., Mr. Prahlad
Kumar, Inspector and Mr. Manju Nath, SI

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)
12.11.2025

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C. HARI SHANKAR, J.

1. The petitioner is aggrieved by order dated 25 May 2010 issued by the Deputy Inspector General (Pers), CISF, communicating the decision of the President of India, as the Disciplinary Authority of the petitioner, whereby the petitioner has been awarded a penalty of compulsory retirement.
2. The impugned order has been passed consequent to a detailed enquiry that took place in which the petitioner participated.



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3. We have heard the petitioner, who appears in person, and Mr. Farman Ali, learned CGSC for the respondents.

4. While the Inquiry Report is detailed, the impugned order of punishment does not deal either with the petitioner's reply to the Inquiry Report or provide any independent reasons as to why the reply was found unsatisfactory, why the Disciplinary Authority chose to agree with the Inquiry Officer or why the Disciplinary Authority chose to award the penalty of compulsory retirement.

5. It is trite that the Disciplinary Authority has to provide reasons for the orders which he passes. He is required, *inter alia*, to deal with the submissions of the petitioner in his response to the Inquiry Report and also to justify the punishment awarded.

6. With consent of counsel, therefore, this petition is disposed of, in the following terms:

- a) The impugned order dated 25 May 2010 is quashed and set aside.
- b) We are not inclined to interfere with the Inquiry Report, which is, therefore, sustained.
- c) We remand the matter to the Disciplinary Authority to pass a fresh order, regarding the punishment, if any, which she / he may choose to award to the petitioner.



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d) The petitioner is permitted to give additional submissions, if he so chooses, within a period of four days from today, which if submitted, shall be taken into consideration in the *de novo* decision.

e) The *de novo* order, would take into consideration the reply already submitted by the petitioner as well as any additional submissions, which the petitioner may make in writing before the Authority, as noted above.

f) The *de novo* order would be passed on or before 30 November 2025.

g) In case the petitioner continues to remain aggrieved by the order, the rights of the petitioner in that regard would remain reserved.

h) We make it clear that the punishment, if any, that may be awarded to the petitioner in the *de novo* proceedings would not be in excess of the punishment already awarded to him.

i) The monetary benefits to which the petitioner would be entitled, would abide by the *de novo* decision of the Disciplinary Authority.

7. The writ petition is disposed of, in the aforesaid terms, with no orders as to costs.



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8. A copy of this order shall be provided to both sides, *dasti* under the signatures of the Court Master.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

NOVEMBER 12, 2025/yg