



2025:JHC-1 K43:23854

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 14461 of 2025

Chhinder Pal

.....Petitioner(s)

Versus

Union Of India Thru. Secy. Railway Board New
Delhi And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Anil Kumar Mishra
Counsel for Respondent(s)	:	A.S.G.I.

Court No. - 7

HON'BLE MANISH MATHUR, J.

1. Heard learned counsel for petitioner and Mr. S. B. Pandey learned Deputy Solicitor General of India assisted by Mr. Varun Pandey learned counsel for the opposite parties.

2. Petition has been filed seeking following prayers: -

" (i) Issue a Writ of Certiorari or any other appropriate Writ, Order or Direction quashing the departmental disciplinary proceedings initiated against the petitioner under the provisions of Rule 153 of the Railway Protection Force Rules, 1987, in furtherance of the departmental charge sheet dated 04.08.2025, issued by the Respondent No. 4, wherein the alleged article of charges being solely based on and proposed to be sustained on the basis of an unauthenticated, fake and doctored video by making false averment to have been furnished by the Government Railway Police station Yamuna Nagar, Jagadhari, Haryana Police, to immediately stay proceedings in the interest of justice.

(ii) Issue an appropriate order or directions in the matter to the concerned Respondent authorities to produce the documentary evidence/certificate of authenticity/certificate under section 63 (4) of Bhartiya Sakhya Adhiniyam, Police Station Yamuna Nagar, Jagadhari, Haryana Police, to verify/authenticate the fact that the said video Clip of 00:14 seconds duration said to have been a CCTV Camera Footage of 04.07.2025, as listed at serial No. 3, of the Annexure-III, of the departmental charge sheet dated 04.08.2025, issued by the Respondent No. 4, was furnished the RPF authorities on 04.07.2025 by the Government Railway Police, Police Station Yamuna Nagar.

(iii) Issue a Writ of Mandamus or any other appropriate Writ or Direction in the like nature directing the Respondents to stay the further departmental disciplinary proceedings initiated against the petitioner on account of the departmental charge sheet dated 04.08.2025, issued by the Respondent No. 4."

3. Learned counsel for petitioner submits that the aforesaid proceedings initiating disciplinary proceedings against petitioner are mala fide in nature and are based on the CCTV footage which is completely unauthenticated. He has also drawn attention to the letter dated 13th October 2025 issued by the competent authority indicating that such CCTV footage was in fact never provided to the concerned authorities at the time of preliminary inquiry and therefore it is necessary that such CCTV footage as indicated in the charge sheet should have been authenticated prior to proceedings against petitioner.

4. Learned counsel for opposite parties have raised a preliminary objection with regard to entertainability of this petition at this stage since a charge sheet has already been provided to petitioner and the pleadings raised by him in the present writ petition can also be very well examined in the departmental proceedings.

Upon consideration of submissions advanced by learned counsel for parties and perusal of material on record, it is evident that a charge sheet has already been issued to petitioner on 4th August 2025, brought on record as Annexure No.2 to the writ petition containing two primary charges levelled against him. The documents relied upon in the charge sheet have also been indicated particularly indicating C.D. of CCTV footage. The primary gist of allegation from her submissions by learned for petitioner is that aforesaid CCTV footage is unauthenticated.

5. In the considered opinion of this court, it is not for a court exercising writ jurisdiction to enter into factual aspects as are being raised by learned counsel for petitioner particularly with regard to authentication or otherwise of CCTV footage which forms the basis of one of the documents relied upon in the charge sheet. Such a plea can be raised by petitioner in the inquiry proceedings himself. It is relevant to indicate that this court exercising writ jurisdiction under Article 226 of the Constitution of India cannot usurp the power to be exercised by the

inquiry officer particularly when they relate to disputed questions of fact.

6. In view of aforesaid, petitioner is granted liberty to raise the aforesaid grounds in the inquiry proceedings which shall be considered and decided by the inquiry officer.

7. With aforesaid directions, petition stands disposed of.

(Manish Mathur,J.)

December 15, 2025
prabhat