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

+ **W.P.(C) 1089/2026 CM APPL. 5327/2026**

MUKESH KUMAR

.....Petitioner

Through: Mr. Ankur Chhibber, Adv.
versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Harsh Kumar, SPC, Mr. Shekhar Kumar, Mr. Neel Kr. Sharma and Ms. Shweta Shandilya, GP
Mr. Suhail Malik, SPC with Mr. Amit Acharya, GP
Mr. Vinod Sawant, Law Officer, Mr. Ajay Pal, A/C Law and Mr. Ramniwas Yadav, CRPF

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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27.01.2026

1. This petition has been filed with the following prayers:

“It is therefore, most respectfully prayed that this Hon'ble Court may be pleased to:

(i) Issue a writ of certiorari for quashing of the order dated 04.06.2025 whereby the Respondents have directed recovery of sum amounting to Rs.27,66,890/- from the Petitioner on ground of negligence on his part in managing the affairs of the unit canteen, 122nd Battalion, CRPF and orders dated 06.08.2025 and 14.08.2025 which were issued as follow-up of order dated 04.06.2025 whereby recovery of the said amount was directed to be recovered from the Petitioner; and

(ii) Pass any such orders as the Hon'ble Court may deem fit in the light of above mentioned facts and circumstances of the case.”



2. In effect, the petitioner is challenging the three orders passed by the respondents dated 04.06.2025, 06.08.2025 and 14.08.2025 whereby the respondents intend to recover an amount of Rs.27,66,890/- from the petitioner without issuing a show cause notice and also without furnishing the report of Court of Inquiry to the petitioner to enable him to contest the action of respondents.
3. According to the learned counsel for the petitioner, this itself is an infirmity in the impugned action of the respondents. The impugned orders are liable to be set aside on this ground only.
4. Learned counsel appearing for the respondents on instructions submits that a show cause notice shall be issued by the respondents to the petitioner along with the report of the Court of Inquiry, to enable the petitioner to file their reply both on facts and in law to enable the respondents pass a speaking and a reasoned order in accordance with law.
5. Accordingly, the impugned orders dated 04.06.2025, 06.08.2025 and 14.08.2025, in respect of the petitioner are set aside. Liberty shall be with the respondents to issue a show cause notice along with the report of Court of Inquiry, within two weeks from today, to enable the petitioner file reply within two weeks thereafter both on facts and in law to enable the respondents to pass a detailed and a speaking order in accordance with law, within four weeks of the filing of reply.
6. The petition is disposed of. Pending application is disposed of.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

JANUARY 27, 2026/msh