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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2052/2026**

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr Jivesh Kumar Tiwari CGSC
with Ms. Samiksha and Ms.
Nandita, Advs.

versus

AJAY KUMAR

.....Respondent

Through: Counsel (Appearance not
given)

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **13.02.2026**

CM APPL. 10029/2026 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 2052/2026 & CM APPL. 10028/2026 (for stay)

3. The present petition has been filed assailing the order dated 31.1.2025, passed by the learned Central Administrative Tribunal in O.A. No. 4696/2024, *vide* which the O.A. of the Respondent was allowed with directions to the Petitioners to appoint the Respondent to the post of Constable.
4. Briefly stated, the Respondent was selected *via* the recruitment test for the post of Constable Executive (Male) in Delhi Police in Scheduled Caste category. He successfully qualified the Computer-Based Examination, the Physical Efficiency/Standard Test and even the medical examination, and was included in the final merit list.

W.P.(C) 2052/2026

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During the attestation process and while filling the recruitment form, he disclosed that he was involved in FIR No. 114/2020 registered at Police Station Narsena under Sections 147/148/452/323/427 of the Indian Penal Code, 1860 ('IPC'), however, he was acquitted on 02.08.2023.

5. However, the Respondent's candidature was rejected by the Screening Committee *vide* office order dated on 04.11.2024 on the ground that nature of the offence was grave and serious.

6. Aggrieved, the Respondent approached the learned Tribunal, which, *vide* the impugned order allowed the O.A. of the Respondent and set-aside the above office order dated 04.11.2024.

7. Learned counsel representing the Petitioner while relying upon the judgments passed in ***Union of India and Others v. Methu Meda : Civil Appeal No. 6238 of 2021*** and ***Commissioner of Police, New Delhi & Anr. v. Mehar Singh : Civil Appeal No. 4842 of 2013***, submits that the Screening Committee had considered the case of the Respondent and upon consideration, it was rejected. He submits that there is no allegation of *mala fide* against the Screening Committee and, hence, the decision of the Screening Committee could not have been interfered with by the learned Tribunal.

8. This Court has considered the submission and it is not disputed that the Screening Committee is entitled to consider the candidature of the candidates despite acquittal, however, it is expected that the Committee is expected to take a holistic view and not reject appointments of deserving candidates in a mechanical manner.

9. From reading of the proceedings of the Screening Committee, it is evident that there was no allegation against the Respondent with regard to "moral turpitude" or any "grievous offence". Even in the



FIR, the Offence under Section 323 of the IPC reflects only a simple injury and the remaining offences relates to house trespass or are related to unauthorised gathering and rioting. It appears that in that case as well, the Respondent was one of the seven persons, who allegedly had an altercation/scuffle with the neighbours and was acquitted because even the neighbours including the complainant did not support the case of the prosecution.

10. The only reason for rejection his candidature was a previously filed FIR, in which the Trial Court has already acquitted the Respondent. Merely because the Respondent was allegedly involved in a scuffle with neighbour, which was not even proved, the candidature of the Respondent could not have been rejected when he otherwise is found to be meritorious and eligible.

11. In the opinion of this Court, the learned Tribunal has taken a plausible view and this Court while exercising writ jurisdiction is not expected to interfere against a plausible view taken by the learned Tribunal.

12. The petition is, therefore, dismissed, along with pending application(s), if any.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

FEBRUARY 13, 2026

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