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

+ **W.P.(C) 2128/2022**

GURJAR RAKESH SINGH

.....Petitioner

Through: Mr. Pradeep Kumar Yadav, Mr.
Pranvesh, Ms. Anjale Kumari
and Mr. Vishal Thakre, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Archana Gaur, CGSC with
Ms. Ridhima Gaur and Mr.
Deepu Kumar, Advs. with ASI
Jaypal Singh, CISF & Mr.
Surinder Kumar AC, CISF.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **16.04.2026**

1. Through the present petition, the Petitioner essentially seeks the following prayer:

“a. Issue a Writ, or direction in the nature of Certiorari quashing the impugned orders/s dated 27.04.2020 passed by the Inspector General/Office of Northern Sector, and consequential order dated 04.10.2019 passed by the office of the Deputy Inspector General and order dated 03.07.2019 passed by the Office of the Group Commandant, Central Industrial Security Force and reinstate to the petitioner on the post of Constable/GD with back wages from the date of suspension i.e. 03.07.2019.”

2. Briefly stated, after his qualification in the SSC exam, the Petitioner was appointed to the post of Constable/GD in Central Industrial Security Force as per the seniority list in OBC quota on 24.03.2017. Charge Memorandum dated 08.04.2019 was issued

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against the Petitioner alleging that he had committed gross misconduct as he had cheated the CISF department by securing appointment on the basis of caste certificate dated 25.11.2015, which was found to be a forged document. Allegedly, correspondence made with the concerned office for verification of the said certificate revealed that no such certificate had been issued in favour of the Petitioner. Pertinently, the Petitioner initially pleaded guilty of the charge in his reply dated 11.04.2019. Thereafter, he submitted his statement of defence on 15.04.2019 wherein he denied the charge.

3. After conduction of enquiry proceedings, it was found that the charge was proved against the Petitioner. By way of final order dated 03.07.2019, the Disciplinary Authority imposed the penalty of *“Removal from service which shall not be a disqualification for future employment under the Government”* on the Petitioner. The Petitioner’s appeal against the penalty was rejected by way of order dated 04.10.2019. Aggrieved by the same, the Petitioner preferred a revision petition, which was also dismissed by way of impugned order dated 27.04.2020. It was noted that the Petitioner had submitted a new caste certificate dated 04.04.2019 along with his reply to the charge memorandum, which was also found to be fake.

4. The learned counsel for the Petitioner submits that the forged OBC certificate was procured by the Petitioner’s father with the help of an acquaintance under the *bona fide* impression that the same was genuine. It is stressed that the Petitioner cannot be penalised merely because his father was cheated by some unscrupulous person. It is also requested that Caste Certificate dated 14.08.2019 (Annexure P16) be taken into consideration.

5. On the other hand, it is asserted on behalf of the Respondents



that the penalty is proportional to the charge levelled against the Petitioner. It is submitted that the Petitioner produced another fake certificate after his first certificate was found to be forged and no further opportunity can be granted to the Petitioner.

6. Having heard the counsel and perused the record, this Court is of the opinion that the present petition is without any merit.

7. Before this Court, the Petitioner has not denied that the certificate produced by him at the time of recruitment was forged. Rather, his entire case is helmed on the argument that the said certificate was procured by his illiterate father under the belief that the same was genuine. As rightly appreciated by the concerned authorities, the Petitioner was around 22 years of age at the time of recruitment. It was his responsibility to ensure that valid documents are submitted by him. Moreover, it cannot be ignored that the present case is one where the Petitioner produced another counterfeit certificate dated 04.04.2019 in the Disciplinary proceedings. No explanation is furnished in this regard. In such circumstances, the Petitioner cannot shirk responsibility by claiming ignorance of the documents produced by him at that stage.

8. It is also pointed out that the Petitioner's appointment letter dated 24.03.2017 makes it clear that his appointment was provisional and subject to verification through proper channels. It has been specifically iterated in the said letter that if the claim is found to be false in verification, the same will result in termination of services forthwith without assigning any further reasons.

9. While the Petitioner has sought to place reliance a fresh Caste Certificate dated 14.08.2019, this Court is in agreement with the Respondents that the same cannot be considered at this juncture. The



Petitioner was afforded a proper opportunity to defend himself and endless opportunities cannot be granted to him to cure the error of having produced fake certificates on two occasions.

10. In view of the aforesaid discussion, this Court finds no reason to interfere with the penalty so imposed on the Petitioner.

11. The present petition is therefore dismissed.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

APRIL 16, 2026

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