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

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Date of Decision : 28.03.2026

+ W.P.(C) 2709/2026

RAHUL KUMAR

.....Petitioner

Through: Mr. J Rajesh, Mr. Md Arsalan
Ahmed, Mr. Yashwardhan Aggarwal
and Mr. Ali Abbas Masoodi, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Sayed Hussain Adil Taqvi, SPC,
Mr Farman Ali CGSC, Ms Usha
Jamnal and Ms Priya Rathi, Advs.

CORAM:**HON'BLE MR. JUSTICE V. KAMESWAR RAO****HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA****V. KAMESWAR RAO, J. (ORAL)**

1. The matter is taken up today as the date fixed, i.e. 02.03.2026 was declared a holiday vide notification no. 64/G-4/Genl.-I/DHC dated 27.02.2026.

2. This petition has been filed with the following prayers:-

“A. Issue a Writ of Certiorari for quashing of the letter dated 11.01.2025 whereby the Respondents have rejected the representation of the Petitioner for joining the subsequent batch of training; and Passed by the Deputy Inspector General, CISF RTC Deoli Rejecting The Petitioner's Representation in Violation of the Hon'ble Court's Directions Dated 05.11.2024 In W.P.(C) 15171/2024.

B. Issue a Writ of Mandamus directing the Respondents to allow the Petitioner to join the subsequent batch of training for his selected post without depression of his seniority, thereby keeping him at par with his batchmates; and

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



3. This is a second round of litigation. The first one being W.P.(C) 15171/2024 which was decided by this Court on 05.11.2024 by stating in paragraph 9 onwards as under:

“9. We have considered the submissions made by the learned counsel for the parties.

10. In the peculiar facts of the present case in which the petitioner, post his appointment letter, had applied for further extension of time for joining the duty and the same having been rejected by a cryptic order dated 16.02.2024 which prima facie does not disclose any reasons for the rejection of the same, we are of the opinion that the present petition be considered as a representation of the petitioner by the respondents and the respondents should pass a speaking order thereon within a period of ten weeks from today. In case the petitioner wishes to file any further documents in support of his claim for leniency by the respondents, he may do so within a period of one week from today.

11. While considering the representation of the petitioner, the respondents shall not reject the same only on the ground that the six months period from the date of issuance of appointment letter has now passed.

12. With the above directions, the petition is disposed of.”

4. It is pursuant thereto that the respondents have passed the impugned order dated 11.01.2025 by stating in paragraph 12 onwards as under:

“12. AND WHEREAS, in compliance to the direction issued by the Hon'ble Delhi High Court vide Judgment order dated 05.11.2024, the writ petition filed by Rahul Kumar (petitioner) for permission to join the next batch of training for the post of Constable/GD on compassionate grounds has been considered as his representation and found that the petitioner was issued an offer of appointment for the post of Const/GD in CISF on compassionate ground, consequent upon expiry of his father i.e. Shri (Late HC/GD) Mahender Singh vide Gp. Commandant, CISF Gp. HQrs New Delhi letter No. (8480) dated 27.09.2023 with direction to report to CISF RTC Deoli on 21.10.2023, Since the petitioner failed to join the basic training on



21.10.2023, subsequently, extending the opportunity, he was issued a call up notice vide CISF RTC Deoli letter No.. (940) dated 28.10.2023 directing him to report for basic training of Constable/GD at CISF RTC Deoli by 17.11.2023, in which also clearly mentioned that if he fails to report on the stipulated date, it would be presumed that he is no longer interested to join the service in CISF and the offer of appointment issued to him will be treated as cancelled. Further, the petitioner has not put forward any cogent reason for his non-joining, within the prescribed time limit, as per the provisions of Govt. of India instructions, and upon examining the application of the petitioner for extension, the competent authority has considered and regretted the request of the petitioner, the same was conveyed to petitioner vide RTC Deoli letter No. 42635-(E) dated 16.02.2024 and sent to his home address and wherein it was clearly mentioned that no further request will be entertained by this office. But the petitioner failed to report at RTC Deoli on the rescheduled date. It shows casual attitude and lack of interest of the petitioner towards joining the post. The petitioner was given all reasonable opportunity to join the post, but he himself led to the lapse of his offer of appointment by not joining the post within the permissible time. The petitioner was extended every reasonable opportunity and permissible time limit to join the post but he did not avail, thereby Offer of Appointment issued to him, has attracted the violation of provisions contained in the instructions on the subject. Hence, it is reiterated that the petitioner himself is responsible for the arisen current circumstances.

13. HENCE THEREFORE, I, the undersigned being an appointing authority, the WP No.15171/2024 filed by Rahul Kumar (Petitioner) in the Hon'ble Delhi high court for permission to join the subsequent batch of training for the post of Constable/GD on compassionate grounds has been considered as his representation and is hereby rejected for the reasons elicited in the preceding paragraphs and is hereby disposed of."

5. We have seen the order passed by this Court dated 05.11.2024. This Court had made it clear that the respondents shall not invoke the ground that



after six months the appointment letter shall automatically lapse.

6. In the impugned order, the respondents have in fact, *inter alia*, stated that the petitioner did not join the post within permissible time limit despite the notice having been issued to him on 28.10.2023.

7. This reason given the respondents is primarily the same which has not been accepted by this Court in the earlier round of litigation.

8. This being the only reason on which the respondents have not granted the appointment to the petitioner, we are of the view that the impugned order dated 11.01.2025 is liable to be set aside. We order accordingly.

9. The petitioner shall be allowed to join the force pursuant to the offer of appointment issued to him on 27.09.2023.

10. Suffice to state, since the petitioner is joining the post of the Constable GD on the strength of the order passed by this Court, his seniority shall be determined on the basis of the date of joining as Constable GD. In other words, his seniority shall not relate back to the batch pursuant to which the offer of appointment was given to him.

11. We also make it clear that this order is passed in the facts of this case and shall not be treated as a precedent.

12. The petition is disposed of.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

MARCH 28, 2026

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