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

+ W.P.(C) 3033/2026

EX CT GD ANKAJ KUMAR

.....Petitioner

Through: Mr. K. K. Sharma, Mr. Pratham
Kindra and Mr. Tushar Batra,
Adv.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Abhishek Mahajan, SPC
along with Mr. Vinay Kaushik,
Adv.
Insp Athurv, Mr. Ramniwas
Yadav and Mr. Inderpal –
CRPF.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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13.05.2026

1. Through the present Writ Petition, the Petitioner seeks quashing of the order dated 31.08.2023 whereby he was dismissed from service on the ground that he had contracted a second marriage during the subsistence of his first marriage. It is noted that from the first wedlock, the Petitioner has four children. The Appeal as well as the Revision preferred by the Petitioner have also been dismissed by the competent authorities.

2. Learned counsel representing the Petitioner has made the following submissions:

- i. That the priest who allegedly solemnised the alleged second marriage as well as the second wife were not examined during the Departmental Inquiry



ii. That subsequent to the departmental proceedings, a settlement has been arrived at between the Petitioner and his first wife pursuant to which she has withdrawn her complaint

iii. Reliance is placed upon the judgment passed by a Coordinate Bench in ***Shailender Kumar v. Union of India and Ors & Ors.***, W.P.(C) 515/2024.

3. This Court has considered the submissions advanced. The record reflects that during the departmental proceedings, a report was obtained from the Office of the Superintendent of Police, wherein it stood confirmed that the Petitioner had married Ms. Priyanka Bharti during the subsistence of his marriage with his first wife, Mrs. Renu Devi. Further, the statements of other witnesses recorded during the inquiry also corroborate the factum of the second marriage. Furthermore, in his communication dated 28.08.2023, the Petitioner himself stated that Ms. Priyanka Bharti had separated from him and would return to her parental home.

4. Once the factum of the second marriage during the subsistence of the first marriage stands established, examination of the priest or the second wife was not indispensable, particularly when sufficient documentary and oral material, including the Petitioner's own statement *vide* communication dated 28.08.2023, was available on record to substantiate the charge.

5. Similarly, subsequent withdrawal of the complaint by Petitioner's first wife would not come to the rescue of the Petitioner, as the withdrawal application does not deny that the Petitioner had contracted a second marriage with Ms. Priyanka Bharti.

6. Further, the judgment relied upon in ***Shailender Kumar*** (*supra*) is distinguishable on facts, as in the said case the second marriage had



been contracted after dissolution of the first marriage through a village panchayat arrangement. The factual matrix of the present case is materially different.

7. It is also well settled that the scope of judicial review in disciplinary matters is limited and the Writ Court does not sit in appeal over findings of fact recorded in departmental proceedings.

8. In view of the above, no ground for interference is made out. The present Writ Petition is accordingly dismissed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MAY 13, 2026

s.godara/shah