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

+ **W.P.(C) 6485/2026 & CM APPL. 31987/2026**

ASSTT. COMDT. ANIL KUMAR MEENA & ORS.

.....Petitioners

Through: Mr. Abhay Kumar Bhargava,
Mr. Satyaarth Sinha, Mr.
Ajinkya Dhalwade, Mr. Sanchit
Kumar Sharma, Advs

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Saumya Tandon, CGSC
with Mr. Gaurav Singh Sengar,
Ms. Tooba Khan, Advs for
UOI.
Mr Vinod Sawant Law Officer,
Insp Athurv & Mr Ramniwas
Yadav CRPF.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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13.05.2026

1. The present Petition is filed under Article 226 of the Constitution of India challenging the impugned recovery orders dated 07.04.2026 issued against the Petitioners and also the pay re-fixation order dated 06.04.2026.

2. It has been urged that the impugned recovery orders and pay refixation orders were issued *ex-parte* without affording the Petitioners any prior notice or opportunity of being heard. An action imposing financial liability and downwardly revising the emoluments of serving government employees is a civil consequence of the most



serious nature, which cannot be imposed without compliance with the principles of natural justice. It is well settled that the right to be heard is a fundamental component of natural justice and must be observed unless specifically excluded by statute.

3. This Court finds force in the above argument. Admittedly, the impugned orders of recovery and the pay refixation orders have been passed without issuing any Show Cause Notice to Petitioner or affording them any opportunity of being heard, which is mandatory and such omission to serve any notice or consider the Petitioners' response is manifestly violative of the principles of natural justice.

4. Hence, in view of the above admitted position, the orders dated 07.04.2026 and 06.04.2026 are set aside, while granting liberty to the Respondents to pass fresh orders after issuing Show Cause Notices to the Petitioners and giving them an opportunity to represent.

5. The Petition is disposed of in the aforesaid terms.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

MAY 13, 2026

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