



2026:DHC:4227-DB



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

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*Judgment reserved on: 22.04.2026**Judgment pronounced on: 14.05.2026**Judgment uploaded on: 14.05.2026*

+ W.P.(C) 752/2025 & CM APPL. 3757/2025

NARODE CHAITALI TRYMBAK

.....Petitioner

Through: Mr. Arvind Kumar Singh, Adv.
with Petitioner in-person.

versus

THE UNION OF INDIA & ORS.

....Respondents

Through: Mr. Farman Ali, CGSC along
with Ms. Usha Jamnal, Adv.
Mr. Surinder Singh, AC,
Inspector Sanjay Kumar and SI
Mr. Rahul Sinha – CISF.**CORAM:****HON'BLE MR. JUSTICE ANIL KSHETARPAL****HON'BLE MR. JUSTICE AMIT MAHAJAN****J U D G M E N T****ANIL KSHETARPAL, J.:**

1. The present Petition assails the correctness of the order dated 03.01.2022 passed by the Senior Commandant, CISF Unit, DMRC, whereby the Petitioner was removed from service with immediate effect under the provisions of the CISF Rules, 2001. The Petitioner further lays challenge to the order dated 04.08.2022 passed by the Deputy Inspector General (Appellate Authority), the order dated 02.03.2023 passed by the Inspector General (Revisional Authority), and the order dated 10.07.2023 passed by the Directorate General, CISF ['Impugned Orders'], whereby the penalty imposed upon the

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Petitioner has been successively affirmed.

2. The issue which arises for consideration in the present Petition is whether this Court ought to interfere with the order of removal from service imposed upon the Petitioner, a member of the Central Industrial Security Force ['CISF'], pursuant to disciplinary proceedings, as affirmed by the appellate and revisional authorities, in the absence of any demonstrable violation of principles of natural justice, procedural illegality, or perversity in the findings recorded by the competent authorities.

FACTUAL MATRIX:

3. In order to appreciate the controversy involved in the present Petition, the relevant facts, in brief, are noticed hereunder.

4. The Petitioner was appointed as a Constable (General Duty) in the CISF in the year 2015 and was, at the relevant time, posted at CISF Unit, Delhi Metro Rail Corporation ['DMRC'], Delhi. While in service, a memorandum of charges dated 19.07.2021 was issued to the Petitioner under Rule 36 of the CISF Rules, 2001, containing four Articles of Charge alleging misconduct, indiscipline, and conduct unbecoming of a member of a disciplined force.

4.1 The first Article of Charge pertains to allegations that the Petitioner, while posted at CISF Unit Samadhi Sthal, made a complaint of sexual harassment against multiple fellow personnel, pursuant to which a Sexual Harassment Committee was constituted and the matter was duly enquired into. The inquiry report did not find the allegations to be substantiated. The disciplinary authorities treated

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the complaint as false and unsubstantiated and that the same had resulted in adverse consequences including tarnishing of the image of the concerned personnel, mental harassment, and misuse of the process relating to sexual harassment complaints, thereby constituting misconduct.

4.2 The second Article of Charge relates to an incident dated 02.07.2021 at Mansarovar Park Metro Station, wherein the Petitioner allegedly displayed abnormal conduct, used indecent language towards a superior officer, and made allegations against CISF personnel. It is further alleged that she called the local police without justification and made an unsubstantiated complaint. The competent authority treated the said conduct as indiscipline, misconduct, and behaviour unbecoming of a member of the Force.

4.3 The third Article of Charge relates to an incident dated 04.07.2021 at Vishwavidyalaya Metro Station, wherein the Petitioner allegedly misbehaved with the shift in-charge, raised allegations of being followed, threatened initiation of criminal proceedings, and subsequently approached police authorities along with police personnel to lodge a complaint against a fellow officer. The said conduct was treated as misuse of police machinery and conduct unbecoming of a member of a disciplined force.

4.4 The fourth Article of Charge alleges that the Petitioner had previously been subjected to three disciplinary penalties for acts of misconduct, including one instance relating to a false complaint made to the Sexual Harassment Committee. Despite repeated opportunities and directions issued by the disciplinary authorities, the Petitioner

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allegedly failed to improve her conduct and continued to indulge in acts of indiscipline, thereby exhibiting habitual and incorrigible conduct incompatible with service in a disciplined force.

5. Pursuant to the issuance of the charge memorandum, a departmental inquiry was conducted under the CISF Rules, 2001, wherein the Inquiry Officer recorded findings that the charges stood proved. The Disciplinary Authority, Senior Commandant, CISF Unit, DMRC, thereafter passed an order dated 03.01.2022 imposing the penalty of ***“removal from service with immediate effect, which shall not be a disqualification for future employment under the Government”***.

6. Aggrieved by the aforesaid order, the Petitioner preferred an appeal before the Deputy Inspector General, CISF Unit, DMRC, which was dismissed *vide* order dated 04.08.2022, affirming the findings of the Disciplinary Authority.

7. The Petitioner thereafter preferred a revision petition before the Inspector General (NCR Sector), CISF, which was rejected *vide* order dated 02.03.2023, upholding the findings of the disciplinary proceedings and noting repeated acts of indiscipline and failure to improve conduct.

8. The Petitioner's further representation before the Directorate General, CISF, was also rejected *vide* order dated 10.07.2023. It is these orders which have been assailed in the present Petition.



CONTENTIONS OF THE PARTIES:

9. Learned counsel for the Petitioner assailed the Impugned Orders on the ground of violation of principles of natural justice, alleging denial of fair opportunity and a biased inquiry. It was submitted that the Petitioner's complaints of sexual harassment were not fairly examined and were treated as false without proper independent inquiry. The findings of the departmental enquiries were stated to be perverse and unsupported by evidence, with relevant CCTV footage allegedly not considered. It was also submitted that the Petitioner was effectively proceeded *ex parte* and denied effective participation, causing serious prejudice. It was argued that the penalty of removal from service is grossly disproportionate and violative of Articles 14 and 21 of the Constitution.

10. *Per contra*, learned counsel for the Respondents supported the Impugned Orders and submitted that inquiry was conducted strictly in accordance with CISF Rules, 2001, and principles of natural justice. It was submitted that the sexual harassment complaint was duly examined by a constituted Committee, which found the allegations unsubstantiated. In fact, it was the Petitioner who did not cooperate with the proceedings, resulting in an *ex parte* conclusion of inquiry.

10.1 It was contended that the incidents dated 02.07.2021 and 04.07.2021 demonstrate gross indiscipline, including misbehaviour, inappropriate language, and false police complaints. It was further submitted that the Petitioner had been earlier penalized for misconduct, including a false complaint, yet failed to improve her conduct. It was submitted that the punishment is proportionate, and



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findings have been concurrently upheld by all authorities, warranting no interference under writ jurisdiction

ANALYSIS & FINDINGS:

11. This Court has considered the submissions advanced on behalf of the parties and perused the material on record.

12. At the outset, it is necessary to note that this Court does not act as an appellate authority in disciplinary matters. Interference is warranted only in cases where (i) the proceedings are vitiated by violation of principles of natural justice; (ii) the findings are perverse or based on no evidence; (iii) there is patent procedural illegality; or (iv) the punishment imposed is shockingly disproportionate to the misconduct proved.

Re: Alleged Violation of Principles of Natural Justice

13. The principal contention urged on behalf of the Petitioner is that the inquiry proceedings stood vitiated on account of denial of fair opportunity and that she was, in effect, proceeded *ex parte*.

14. From the material placed on record, it is evident that the Petitioner was duly served with the charge memorandum dated 19.07.2021 and had submitted her reply thereto. A regular departmental inquiry was thereafter conducted by an Inquiry Officer in which the Petitioner participated and was duly afforded opportunity to defend her case.

15. The mere assertion that the Petitioner was proceeded *ex parte*, in the absence of any substantive material demonstrating denial of

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opportunity or prejudice caused, cannot be accepted. No specific instance has been pointed out to show that any request made by the Petitioner for leading evidence or cross-examination was arbitrarily denied.

16. Insofar as the earlier proceedings before the Sexual Harassment Complaint Committee are concerned, it has been brought on record that the said Committee was duly constituted and that the Petitioner did not cooperate with the inquiry, which ultimately led to the proceedings being concluded *ex parte* on account of her non-cooperation. In such circumstances, the Petitioner cannot be permitted to take advantage of her own non-cooperation to allege violation of natural justice.

17. In the absence of any demonstrable procedural irregularity causing prejudice, this Court finds no merit in the contention that the disciplinary proceedings are vitiated on account of violation of principles of natural justice.

Re: Challenge to Findings of Fact

18. The next limb of challenge pertains to the correctness of the findings returned by the Inquiry Officer and affirmed by the disciplinary, appellate, and revisional authorities.

19. The findings recorded in the departmental inquiry indicate that the Petitioner was found guilty of making unsubstantiated allegations against fellow personnel, alleged misbehaviour with superior officers, using inappropriate language, and involving the local police without following the prescribed chain of command. The conclusions are

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stated to be based on witness statements, contemporaneous reports, and other material on record.

20. This Court is not inclined to re-appreciate the evidence or substitute its own view for that of the disciplinary authority. It is well settled that so long as the findings are based on some evidence and are not perverse, the same do not warrant interference in writ jurisdiction.

21. The Petitioner has not been able to demonstrate that the findings recorded are based on no evidence or that relevant material has been ignored in a manner that renders the conclusions perverse. The contention regarding non-consideration of CCTV footage or other material remains unsubstantiated and unsupported by the record.

Re: Sexual Harassment Allegations

22. A substantial part of the Petitioner's challenge is premised on the assertion that her complaints of sexual harassment were genuine and that the disciplinary action is a consequence of her having raised such complaints.

23. This Court is conscious of the sensitivity attached to allegations of sexual harassment at the workplace and the legal framework governing such complaints. However, in the present case, it is not in dispute that the complaint made by the Petitioner was enquired into by a duly constituted Committee, which, upon consideration of the material available, did not find the allegations substantiated.

24. The disciplinary proceedings in question are not directed at the mere act of making a complaint *per se*, but are based on the findings



returned in the inquiry to the effect that the allegations were unsubstantiated and that the Petitioner's conduct, viewed in entirety along with subsequent incidents, amounted to misconduct and indiscipline.

25. In the absence of any material to demonstrate that the inquiry conducted into the complaint was vitiated by *mala fides* or was otherwise legally unsustainable, this Court finds no ground to reopen or re-examine the conclusions arrived at by the competent authority.

Re: Habitual Misconduct

26. The fourth Article of Charge relates to the Petitioner's past conduct and records that she had been penalized on multiple occasions for acts of indiscipline. The record indicates that despite earlier penalties and opportunities to improve, the Petitioner continued to engage in conduct inconsistent with the discipline expected of a member of the Force.

27. In service jurisprudence, particularly in the context of uniformed forces, past conduct is a relevant factor for determining the nature and extent of penalty. The consideration of the Petitioner's previous record by the disciplinary authority cannot, therefore, be faulted.

Re: Proportionality of Punishment

28. The final issue that arises for consideration is whether the penalty of removal from service is disproportionate to the misconduct proved.



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29. The Petitioner was a member of a disciplined force where a high standard of conduct, restraint, and adherence to hierarchy is expected. Acts such as making unsubstantiated allegations against colleagues, misbehaving with superior officers, and alleged bypassing the chain of command by approaching external agencies have serious implications for discipline within the Force.

30. Having regard to the nature of charges proved, coupled with the Petitioner's past conduct, this Court is of the view that the penalty imposed cannot be said to be shockingly disproportionate so as to warrant interference.

CONCLUSION:

31. In view of the aforesaid discussion, this Court finds no ground to interfere with the Impugned Orders passed by the disciplinary, appellate, and revisional authorities.

32. Accordingly, the Writ Petition, being devoid of merit, is hereby dismissed. The pending application also stands closed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

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