



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

% Judgment reserved on: 28.01.2026  
Judgment delivered on: 19.06.2026  
Judgment uploaded on: *As per Digital Signature~*

+ **W.P.(C) 4096/2021 CM APPL. 12485/2021 CM APPL. 42622/2021**  
+ **W.P.(C) 11716/2021, CM APPL. 36206/2021, CM APPL. 51414/2023, CM APPL. 51515/2023, CM APPL. 55036/2023, CM APPL. 55160/2023**

RANJAN PRATAP SINGH .....Petitioner  
versus  
UNION OF INDIA & ORS. ....Respondents

**Advocates who appeared in these case**

For the Petitioners : Mr. Tushar Ranjan Mohanty, Mr. Naveen Kumar Vashisht, Mr. Tarunveer Singh Taggar and Ms. Yogita Sharma, Advocates.  
For the Respondents : Mr. Chetan Sharma, ASG with Ms. Nidhi Raman, CGSC, Mr Rajeev Khatana, SPC, Mr. Amit Gupta, Mr. Akash Mishra, Mr. Arnav Mittal, Mr. Naman, Mr. Subham Sharma and Yesvardhan, Advocates and Mr. Devesh Tripathi, DC, Mr. A. Mohan Krishna, AC, and Mr. Sanjay Kumar Insp., CISF in person.

**CORAM:**  
**HON'BLE MR. JUSTICE V. KAMESWAR RAO**  
**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**JUDGMENT**

**V. KAMESWAR RAO, J.**

1. These two petitions have been filed by the petitioner primarily



challenging his suspension and initiation of the departmental proceedings under the Central Civil Services (Classification, Control and Appeal) Rules, 1965 [CCS(CCA) Rules].

2. As common facts arise for consideration in both these petitions and the issues which need to be considered are primarily related to identical foundational facts, we deem it appropriate to decide both these petitions by this common order.

3. W.P(C) No.4096/2021 has been filed with the following prayers:-

*“(a) Issue a writ of Certiorari based on which the Respondents have issued the impugned Memorandum 24.09.2020 proposing to hold Departmental Proceedings against the Petitioner as well as the records based on which the Respondents have rejected the representations submitted by the Petitioner against such action vide orders dated 14.12.2020 as well as 16.03.2021 and thereafter quash the same:*

*(b) Issue a Writ of Mandamus/Prohibition in the form of direction to the Respondents to await the final outcome of the ongoing criminal proceedings before taking any further decision regarding any further departmental action on the same facts.”*

4. The challenge in this petition is primarily to the charge-sheet dated 24.09.2020 and also order dated 14.12.2020 whereby the plea of the petitioner for furnishing him the documents relating to a criminal case and order dated 16.03.2021 whereby the representation of the petitioner for giving a personal hearing before initiating departmental enquiry before the disciplinary authority was rejected. By way of memorandum/charge-sheet dated 24.09.2020, the respondents have initiated departmental proceedings



under Rule 14 of the CCS(CCA) Rules whereby two articles of charge have been framed against the petitioner, which we reproduce as under:-

**“Article-I**

*That Shri Ranjan Pratap Singh, Sr. Commandant, CISF while on deputation with the Ministry of External Affairs as Director with effect from 03.10.2017, he with the help of his friend Shri Neeraj Chouhan, Advocate hatched a conspiracy and planted 52 packets of drugs (Charas) weighing 560 gm in a car bearing No. DL 12 CE 3713 of Shri Amit Savant, R/o House No.E-12, Pragati Vihar Hostel, Lodhi Colony, New Delhi on 04.10.2019 while parked at his residence at Pragati Vihar Hostel, Lodhi Colony, New Delhi thereby indulging in an act of grave omission & commission amounting to moral turpitude.*

*Thereby, Shri Ranjan Prarap Singh, Sr. Commandant, failed to maintain rectitude, upright conduct and decorum expected from a Gazetted Officer, violated the instructions contained in Rule 3 (1) (ii), (iii), (vi) and (xviii) of CCS (Conduct) Rules, 1964 and acted in a manner unbecoming of an officer of his status in an Armed Force of the Union - CISF. Hence, the charge.*

**Article-II**

*That during the aforesaid period and while functioning in the aforesaid office, the said Shri Ranjan Pratap Singh, Sr. Commandant, CISF was arrested by the Delhi Police on 10.10.2019 alongwith Shri Neeraj Chouhan, Advocate for allegedly planting drugs in a car belonging to Shri Amit Savant, Lead Consultant at National E-Governance Division, Ministry of Electronics & Information Technology, Electronics Niketan, New Delhi. Delhi. Police lodged FIR No.203/209 U/S 20/61/85 NDPS Act & r/w 120-B IPC at PS Lodhi Road, New Delhi.*

*Thereby Shri Ranjan Pratap Singh, Sr. Commandant, CISF engaged himself in activities prejudicial to the*



*good image of the Force and has tarnished the image of the Force. Thus, Shri Ranjan Pratap Singh, Sr. Commandant violated the provision of Rule 3 (1) (ii), (iii) (vi) & (xviii) of CCS(Conduct) Rules, 1964, failed to maintain absolute devotion to duty and acted in a manner unbecoming of an Officer of his status in an Armed Force of the Union, CISF.”*

5. The submission of Mr. Tushar Ranjan Mohanty, learned counsel for the petitioner is primarily relatable to Article II, which states that while the petitioner was functioning as a Senior Commandant, CISF, he was arrested by Delhi Police on 10.10.2019 along with an Advocate for planting drugs in the car belonging to one Mr. Amit Savant.

6. He submitted that the arrest of the petitioner cannot be construed as a misconduct to be a part of a charge-sheet. This submission of Mr. Mohanty has to be read in the context of Article-I, which has been framed against the petitioner. The charge therein is that, he with the help of his friend (an Advocate), he hatched a conspiracy and planted 52 packets of drugs (charas) weighing 560 grams in a car belonging to Mr Amit Savant. It was in that connection that the petitioner was arrested by the Delhi Police, which became the subject matter of Article-II.

7. The submission of Mr. Mohanty cannot be accepted for the reason that, if the Article-II is read in conjunction with Article-I and also if Article-II is read in totality, it follows that the petitioner having been arrested because of Article-I, has resulted in tarnishing the good image of the Force.

8. There cannot be any contest that, if an employee lowers the image of



the Force because of his omission or commission, surely the same can be the subject matter of a charge-sheet.

9. A perusal of Article-II would reveal that the case of the respondents is the petitioner's arrest has tarnished the image of the Force, which resulted in violation of the provisions of the Conduct Rules. So in that sense, the Article-II shall be maintainable.

10. Though, we may clarify here that many grounds were pleaded in the writ petition, as Mr. Mohanty had clearly stated that, he will press the petition only on the aforesaid ground, we have not considered the other grounds as raised in the petition.

### **W.P.(C) No.11716/2021**

11. This petition being W.P.(C) No.11716/2021 has been filed with the following prayers:-

- “(i) issue rule nisi to the Respondents;*
- (ii) quash and set aside the Impugned Extension of Suspension Order dated 10.06.2020 [Annexure: P-1] as being bad in law;*
- (iii) consequently, quash and set aside the impugned Extension of Suspension Order dated 26.11.2020 [Annexure: P-2] as being non-est in law;*
- (iv) quash and set aside the Impugned Suspension Order dated 18.10.2019 [Annexure: P-3] as being non-est in law;*
- (v) quash and set aside the impugned Posting Order dated 19.12.2019 [Annexure: P-4] as being non-est in law;*
- (vi) consequently quash and set aside the impugned Letter of Rejection dated 31.07.2020 [Annexure: P-5] and the Impugned Letter of Rejection dated 08.12.2020*



*[Annexure P-6] as being bad in law, being unreasoned and non-speaking;*

*(vii) quash and set aside the impugned Repatriation Order dated 18.10.2019 [Annexure: P-7] as being non-est in law;*

*(viii) grant all consequential benefits of the same;*

*(ix) allow exemplary costs of the present Writ Petition to the Petitioner against the Respondents; and*

*(x) pass such other and further order/(s) as may be deemed just and appropriate in the facts, circumstances and premises of the present case.”*

12. While reserving the judgment on 28.01.2026, have passed the following order:-

*“1 We have heard Mr. Tushar Mohanty, learned counsel for the petitioner and Mr Chetan Sharma, learned ASG. Mr Mohanty's primary submission is that the initial suspension order was passed without the approval of the competent authority, and the review of the suspension order was also beyond the permissible date.*

*2. The relevant records have been produced before us in a sealed cover. We have opened the sealed cover, and perused the orders passed by the competent authorities.*

*3. In fact, Mr. Mohanty has perused the order of the competent authority that led to the suspension of the petitioner. He is satisfied that the order was passed by the competent authority.*

*4. We have also seen the order of the competent authority reviewing the suspension order for a period of 180 days. Having seen that, we are satisfied that the order of the competent authority was passed, reviewing the suspension order on 05.06.2020.*

*5. The two submissions made by Mr. Mohanty are that the petitioner has been under suspension since 2020, the respondents must consider revoking the suspension*



*order so that the petitioner can be useful to the force. Even otherwise, the last posting of the petitioner being in Delhi, the respondents cannot fix the headquarters of the petitioner during the suspension, at Behror, Rajasthan. He relies on the ground 4.26 of W.P.(C) 11716/2021 in support of his submission wherein he has drawn our attention to the relevant instruction which contemplate that the headquarters during suspension shall be only the place where he was posted, last.*

*6. One of the submissions of Mr. Mohanty is that even the order extending the suspension upon review for a period of 180 days has been issued beyond the period of 90 days of initial suspension.*

*7. Orders reserved.”*

13. We have also recorded the submission of Mr Mohanty, that he would press his submission to mean that neither the order of suspension nor the extension of suspension vide letters dated 10.06.2020 and 26.11.2020 were passed by the competent authority.

14. We had called for the relevant records. On a perusal, it is clear that the order of suspension was passed after it was approved by the competent authority much before expiry of the initial period of suspension of 90 days.

15. Mr Mohanty being convinced that the orders have been passed by the competent authority, submitted that the petitioner being under suspension since 2020, appropriate for the respondents is to revoke the suspension of the petitioner and utilise his services.

16. We are not in agreement with the said submission as the decision to continue with the suspension is primarily on the competent authority. Given



the nature of charges which have been framed against the petitioner, this Court does not find it appropriate to give any direction to the respondents in that regard.

17. His other submission that the Headquarters (HQs) of the petitioner during suspension has been wrongly fixed at Behror, Rajasthan though his last place of posting was in Delhi, is also not appealing as in terms of Rule 10 read with DoPT O.M. No. 11012/17/2013-Estt.(A) dated 02.01.2014, the same is permissible. The competent authority is within its right to fix the HQs of the officer during suspension. In this case, the place having been fixed at Behror, Rajasthan, the same cannot be contested. Both the pleas urged by Mr Mohanty are without any merit.

18. It is necessary to state here that after we have reserved these petitions, Mr Mohanty had mentioned the matters before us to contend that, during the interregnum, the Trial Court considering the criminal case, has discharged the petitioner of all the offences, which were alleged against him. He stated that, in view of this development, the foundation for initiating the departmental enquiry does not survive and consequently, the charge sheet issued to the petitioner is required to be set aside.

19. We say nothing in so far as this submission is concerned, as it is a settled position of law that the departmental enquiry can proceed, even if there is acquittal of the employee in a criminal case. In any case, it is for the disciplinary authority to take a call whether the conclusion drawn by the Trial Court has any bearing in so far as the charge-sheet issued to the petitioner is concerned. Nothing precludes the disciplinary authority to



consider the judgment rendered by the Trial Court and take a decision on the charge-sheet issued to the petitioner in accordance with law.

20. Similar is the position with respect to the suspension of the petitioner because of the pendency of departmental enquiry against him. In this regard also, we say nothing as the issue needs to be considered by the disciplinary authority, who had passed the suspension order.

21. The petitioner is within his rights to raise all the pleas before the disciplinary authority, in a representation, who shall consider the effect of the judgment of the Trial Court and proceed in accordance with law.

22. In view of the aforesaid discussion, both the petitions are disposed of. All pending applications stand disposed of as infructuous.

**V. KAMESWAR RAO, J**

**MANMEET PRITAM SINGH ARORA, J**

**JUNE 19, 2026/sr**