

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2025
(Arising out of SLP(C) No.24705 of 2023)

COMMISSIONER OF POLICE & ORS.

APPELLANTS

A1 : COMMISSIONER OF POLICE

A2 : ADDL. COMMISSIONER OF POLICE

A3 : DEPUTY COMMISSIONER OF POLICE,
SOUTH EAST DISTRICTA4 : DEPUTY COMMISSIONER OF POLICE,
2nd BATT. DELHI ARMED POLICE

VERSUS

EX. CT. VINOD KUMAR

RESPONDENT

O R D E R

Heard learned counsel for the parties.

2. Leave granted.

3. The present appeal is directed against the impugned order dated 25.05.2023 passed by the High Court of Delhi at New Delhi in W.P.(C) No.7276 of 2023, by which the order dated 04.02.1997 passed by appellant no.4 dismissing the respondent from service, as affirmed by the Central Administrative Tribunal, Principal Bench at New Delhi (for short, the "CAT") vide its order dated 23.09.2022, has been upheld by the High Court.

4. Learned counsel for the appellants submitted that the respondent was appointed as a Constable in Delhi Police in the year 1988. However, a complaint was received in the year 1996 alleging that the appointment of the respondent was based on a forged and fabricated degree/certificate submitted by him at the time of applying for the post and relying upon which, his appointment was made to the post of Constable. However, it was pointed out that in view of the admitted position when the degree/certificate produced by the respondent on the basis of which appointment was given to him had been established to be forged and fabricated, the authorities did not go for a full-fledged departmental proceedings and passed an order of dismissal from service. The same being challenged resulted in a favourable order in favour of the respondent by the CAT, which has been affirmed by the High Court.

5. Learned counsel for the appellants further submitted that in the background of such a glaring criminal conduct by the respondent that too, for being appointed to the post of Police Constable itself, was sufficient for the CAT as well as for the High Court, not to interfere. It was submitted that the respondent has never produced any evidence to even indicate that the degree/certificate submitted by him was genuine. Learned counsel, in terms of our order dated 13.08.2025 has produced the original degree/certificate, which was submitted by the respondent and also the letter from the authority(ies) concerned categorically stating that such degree/certificate was forged and fabricated. The Court has also perused the same.

6. Learned counsel for the respondent submitted that the High Court has merely remanded the matter to the appellants for conducting a full-fledged departmental inquiry and thus, the Court may not interfere.

7. The Court, upon a request made by learned counsel for the respondent, has allowed him to peruse the original records, which were produced before the Court and he has gone through the same.

8. Having considered the matter, we have no hesitation in holding that the orders passed by the CAT as well as by the High Court are unsustainable. The fact that once on the basis of a forged degree/certificate, a person gets appointment in the uniformed service of the country, that being the police, which is supposed to uphold the rule of law, the act of the respondent is uncondonable. The further fact which is admitted is that there is absolutely, no rebuttal by the respondent that the certificate/degree presented by him before the appellants at the time of his appointment and on the basis of which, he was appointed as a Constable, is genuine. Having perused the original records and the letter from the issuing authority which categorically stating that the degree/certificate in question is forged and fabricated leaves no doubt that such fact cannot be controverted. Thus, no holding of a departmental inquiry in the particular facts and circumstances of the present case may not be a factor to vitiate the final order of dismissal from service passed against the respondent. Thus, on this short point, the appeal is allowed and the order of the CAT as affirmed by the High Court stands set aside. The punishment of dismissal from service awarded to the respondent by the concerned appellants

stands restored. No order as to costs.

9. After perusal, the original records have been returned to learned counsel for the appellants.

10. Pending application(s), if any, shall stand disposed of.

.....J.
[AHSANUDDIN AMANULLAH]

.....J.
[PRASHANT KUMAR MISHRA]

NEW DELHI
12th NOVEMBER, 2025

ITEM NO.7

COURT NO.14

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).24705/2023

[Arising out of impugned final judgment and order dated 25-05-2023 in WPC No.7276/2023 passed by the High Court of Delhi at New Delhi]

COMMISSIONER OF POLICE & ORS.

Petitioner(s)

VERSUS

EX CT VINOD KUMAR

Respondent(s)

Date : 12-11-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Vikramjeet Banerjee, A.S.G. (N/P)
Mr. Mukesh Kumar Maroria, AOR
Mr. Sanjay Kumar Tyagi, Adv.
Mr. Rajan Kumar Chourasia, Adv.
Ms. Gargi Khanna, Adv.
Mr. Annirudh Sharma II, Adv.
Ms. Astha Singh, Adv.

For Respondent(s) Mr. Ankur Chhibber, Adv.
Mr. Yogesh Kumar Mahur, Adv.
Mr. Harkesh Prashar, Adv.
Mr. Ronak Karanpuria, AOR

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

2. The appeal is allowed in terms of the signed order.
3. Pending application(s), if any, shall stand disposed of.

(SAPNA BISHT)
COURT MASTER (SH)

(Signed order is placed on the file)

(ANJALI PANWAR)
ASSISTANT REGISTRAR