



2025:DHC:11151-DB



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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision:-9th December, 2025.

+ W.P.(C) 4165/1997 and CM APPL. 8480/2025, CM APPL.
8481/2025

VEERPAL SINGH

.....Petitioner

Through: Ms. Jasvinder Kaur, Advocate.

versus

D.G.,C.I.S.F. & ORS

.....Respondents

Through: Ms. Pratima N. Lakra, CGSC with
Mr. Priyam Sharma, Advocate, Insp.
Sanjay Kumar, SI Manju Nath, And
SI. Rahul Sinha, CISF.

CORAM:

HON'BLE MR. JUSTICE DINESH MEHTA

HON'BLE MS. JUSTICE RENU BHATNAGAR

J U D G M E N T

DINESH MEHTA, J. (ORAL)

CM APPL. 8481/2025 (for delay) and CM APPL. 8480/2025

1. The instant application has been filed seeking condonation of delay of 8260 days in seeking restoration of a writ petition, which was dismissed on 05.05.2011, while observing thus:-

1. Petitioner a Constable with CISF was attached with 6RB(A) and detailed for IS duty at the residence of Sh. G.S. Munda, Member of Parliament at 1, D.B. Market, New Delhi.

2. On 7.3.1996, abandoning the Self Loading Rifle issued to him and without any intimation, much less permission, petitioner left the duty place.

3. Thinking that he had gone to his village, a call of letter was sent



and posted through Regd.A.D.Post requiring the petitioner to forthwith return and join duty which was received with the postal remarks "Receiver went to Madrasa" and "Receiver not in village". Petitioner returned to the unit on 16.6.1996 and on 24.6.1996 was charge-sheeted for having remained absent without permission from 7.3.1996 to 16.6.1996 as also for leaving his weapon i.e. the SLR unattended at the post. It was also indicated to the petitioner that past conduct of remaining absent without leave or overstaying leave would also be factored if the twin charge alleged was established, for purposes of penalty.

4. 5 prosecution and 1 Court witnesses were examined by the Inquiry Officer who submitted a report on 28.3.1997 holding the charges proved. Called upon to furnish his response to the report of the Inquiry Officer, petitioner did so on 15.5.1997.

5. The Commandant inflicted the penalty of removal from service on 17.6.1997 against which appeal filed was rejected vide order dated 2.9.1997.

6. With reference to Annexure-A, filed along with the writ petition the petitioner pleads that he applied for leave and tried to inform seniors about his ill health; to which answer given in the counter affidavit is that the document in question pertains to the date 28.6.1997 and does not explain reasons for absence. In any case, it is alleged that the document dated 28.6.1997 could never pertain to a leave for the date 7.3.1996.

7. Second ground urged by the petitioner is that he made several representations which went unheeded requiring charge memo to be provided in vernacular to which the response is (para 13) of the counter affidavit is that petitioner's response to the charge-sheet shows that he understood the contents thereof.

8. The plea taken by the petitioner that the penalty imposed is excessive is responded by stating that a force personnel leaving his Self Loading Rifle unattended is a very serious matter and that with reference to the past conduct it was apparent that this was the third time the petitioner left duty post and that there were 8 instances of petitioner overstaying leave or unauthorizedly absconding.

9. These are the issues which need to be debated but since none appears for the petitioner at the hearing today the writ petition is dismissed in default."

2. From a perusal of the pleadings of the writ petition, we find that the petitioner was dismissed from services for unauthorised absence from duties and also on account of his negligent conduct of leaving the service rifle



unattended and leaving the duties.

3. It is to be noted that writ petition was filed in the year 1997, whereafter in 2000 and 2001, applications for early hearing were filed and then, the petitioner went in oblivion. Neither he contacted his lawyer nor he ever tried to find out the fate of his case. He has got up from his slumber only in 2025 and has filed the instant application being **CM APPL. 8481/2025** seeking restoration that too with a delay of 8260 days.

4. The reasons mentioned in the application seeking condonation of delay so also the application seeking restoration neither inspire any confidence nor do they bring out any reason warranting condonation of such inordinate delay.

5. Instant application seeking condonation of laches of 14 years is a desperate attempt like riding on dead horses.

6. If the application, like the one in hand, is allowed being swayed by unwarranted sympathetic consideration, the litigants will start taking the Courts for granted and stop taking care of the cases.

7. The application seeking condonation is dismissed and consequently **CM APPL. 8481/2025** is also dismissed.

DINESH MEHTA, J.

RENU BHATNAGAR, J.

DECEMBER 9, 2025/MR