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

% *Date of Decision: 12th October, 2026*

CNR No. DLHC010492862026

+ **W.P.(C) 15110/2026**

DHANANJAY KUMAR PANDEY (THROUGH HIS WIFE)

.....Petitioner

Through: Mr. Abhay Kumar Bhargava and Mr.
Satyarth Sinha, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Manish Kumar, SPC, Ms. Pragya
Bharti, GP with Mr. Kumar Gaurav, Mr. Azad
Kumar Singh and Mr. Luv Kumar, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

HON'BLE MR. JUSTICE GURVINDER PAL SINGH

JUDGEMENT

JYOTI SINGH, J. (ORAL)

CM APPL. 71014/2026

1. This application is filed on behalf of the Petitioner under Section 151 CPC seeking permission to file detailed synopsis and list of dates.
2. For the reasons stated in the application, the same is allowed. List of dates and synopsis are taken on record.
3. Application stands disposed of.

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4. This writ petition is filed on behalf of the Petitioner under Article 226 of the Constitution of India challenging the recommendation of Departmental Rehabilitation Board (DRB) held between 22.05.2024 and



29.05.2024, whereby Petitioner was declared 'UNFIT' for further service as also opinion of Medical Invalidation Board (MIB) dated 25.07.2026, whereby Petitioner was declared 'UNFIT' for further service, amongst other reliefs.

5. Case of the Petitioner is that he was appointed in CRPF after being declared medically fit in all respects and after clearing the medical examination. In 2024, during Petitioner's posting at RTC, Neemuch, MP, a report was prepared regarding his conduct, which according to the Petitioner recorded that he was performing all duties assigned to him and was abstaining from consuming alcohol. However, Petitioner was considered by DRB held during the period 22.05.2024 to 29.05.2024 as a case of Alcohol Dependence Syndrome, for which he was also placed in low medical categories from time to time. Petitioner asserts that he was recommended for invalidation from service despite behavioural/unit reports demonstrating that there was no reported incident of violence or aggressive behaviour and that Petitioner was performing his duties diligently. Despite a favourable assessment report dated 08.04.2026, Petitioner was examined by MIB on 25.07.2026, wherein it was wrongly recorded that he continued with his alcohol intake which posed a threat to himself and others. Basis this report, Invalidation Notice dated 23.09.2026 was served on the Petitioner proposing to remove him from service and calling upon him to respond within one month.

6. Learned counsel for the Petitioner *inter alia* submits that para 22.5 (f) of Standing Order No. 04/2008, deals with disposal of cases of Alcohol Dependence/Drug Abuse in paramilitary forces and provides that prescribed medical classification is progressive and must be based on patient's response to treatment, behavioural report and evidence of relapse and contemplates



that a case showing favourable response to treatment is to be kept initially in temporary Low Medical Category, which may be upgraded if the individual completes prescribed period of observation with complimentary behaviour/abstinence. Petitioner was placed in Low Medical Category S5 w.e.f. 20.08.2022 and was required to be assessed in consonance with these instructions, but this was not done. Even the contemporaneous behavioural/unit reports of 2024 recording that Petitioner had not consumed alcohol for preceding 8 months and was satisfactorily performing his duties as a Bugler, were not considered.

7. It is further urged that recommendation of DRB is also contrary to para 4 of policy for 'Rehabilitation of Disabled CAPFs Personnel' dated 14.12.2023, which specifically requires DRB to assess whether the personnel can be rehabilitated by assigning commensurate jobs and wherever necessary, to identify the duties/jobs that can be assigned to them. Assuming for the sake of argument that Petitioner cannot be adjusted for the regular duties on the current post, Respondents ought to have carried out the exercise of rehabilitation and assignment of commensurate duties, which was also not done.

8. Issue notice.

9. Mr. Manish Kumar, learned SPC accepts notice on behalf of Respondents and on instructions, submits that the writ petition is premature since Respondents are yet to take a decision on the show cause notice after receipt of reply as also that the decision will be taken within 2 weeks from today.

10. Indisputably, Petitioner has been served with Invalidation Notice dated 23.09.2026, to which he was required to file a reply within one month. Reply has been filed by the Petitioner on 01.10.2026, however, no decision



has been taken by the Respondents till date and therefore to this extent, learned SPC is right in his submission that the writ petition is premature.

11. Accordingly, this writ petition is disposed of with a direction to the Respondents to take a decision on the Invalidation Notice dated 23.09.2026 after taking into consideration the reply filed by the Petitioner as also the contentions raised in the present petition including Para 22.5(f) of Standing Order No. 04/2008 and Para 4 of Policy dated 14.12.2023 as also other behavioural/conduct reports rendered in respect of the Petitioner. The decision will be taken within a period of three weeks from today and a reasoned and speaking order shall be passed, which shall be communicated to the Petitioner within one week from the date of the decision. The decision will not be given effect to for a period of three weeks from the date of communication of the decision, in the event it is adverse to the Petitioner and in which case, it will be open to the Petitioner to take recourse to legal remedies.

12. It is made clear that this Court has not expressed any opinion on the merit of the case.

13. Pending application stands disposed of.

JYOTI SINGH, J

GURVINDER PAL SINGH, J

OCTOBER 12, 2026/AK