



2025:DHC:6708-DB



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

Date of decision: 11.08.2025

+ W.P.(C) 7104/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr.Chetan Sharma, ASG with
Mr.Vikrant N. Goyal, Mr.Arun
Kumar Yadav and Mr.Naman,
Advs.

versus

KRISHAN KUMAR

.....Respondent

Through: Mr.Pawan Narang, Sr. Adv.
with Mr.S. K. Gupta, Mr.Sanket
Gupta, Mr.Moksh Kataria,
Ms.Aishwarya and Ms.Muskan,
Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

CM APPL. 32090/2025 & CM APPL. 32092/2025

1. These applications have already been allowed *vide* Order dated 23.05.2025.

W.P.(C) 7104/2025 & CM APPL. 32091/2025, CM APPL. 32093/2025

2. This petition has been filed by the petitioners, challenging the Order dated 26.07.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the, 'Tribunal') in O.A. No. 3279/2018, titled *Krishan Kumar v. Union of*



India & Ors., disposing of the said O.A. filed by the respondent herein in the following terms:

“24. In view of the aforesaid, the captioned OAs are allowed with the following order(s):
(i) the impugned notice(s) dated 23.08.2018 are set aside
(ii) the applicants shall be entitled for consequential benefits in accordance with law, relevant rules and instructions on the subject
(iii) the aforesaid exercise shall be complied with by the respondents as expeditiously as possible and preferably within a period of six weeks from the date of receipt of a certified copy of this order
(iv) the respondents shall be at liberty to proceed against the applicants, if so advised, of course in accordance with law”

3. To give a brief background of the facts in which the present petition arises, the petitioner no.3 issued an Advertisement Notice in the Employment News to fill up vacancies for various posts at the Government of India Press, Faridabad for the year 2007-2008.

4. The respondent participated in the same and was issued an Offer of Appointment *vide* Memorandum dated 14.01.2008, which provided for a probation period for two years.

5. Based on complaints of large scale of irregularities at various Government of India Press, including at Faridabad, the respondent was not confirmed to the post due to an on-going inquiry into the allegations of such irregularities.

6. On 23.08.2018, the respondent was served with a one month notice of termination expiring on 22.09.2018. Aggrieved of the same, the respondent approached the learned Tribunal by way of an O.A., being O.A. No. 3279 /2018, titled ***Krishan Kumar v. Union of India***



2025:DHC:6708-DB



& Ors., which came to be dismissed by the learned Tribunal by its Order dated 21.02.2019. The respondent challenged the same before this Court by way of W.P.(C) No. 2184/2019, and by the Judgment dated 14.10.2019, the matter was remanded back to the learned Tribunal for a fresh consideration. The learned Tribunal, by its Impugned Order dated 26.07.2024, disposed of the O.A. in the above terms.

7. The petitioners filed a Review Petition before the learned Tribunal, however, the same has also been dismissed by the learned Tribunal by its Order dated 21.02.2025, which also is in challenge before us in the present petition.

8. The learned counsel for the petitioners submits that the learned Tribunal has failed to appreciate that there were allegations of irregularities committed by various officials of the Government of India Press, Faridabad, in the matter of recruitment. He submits that this even led to a Report dated 22.12.2021 from the Central Bureau of Investigation (hereinafter referred to as the, 'CBI'), recommending prosecution of these officers under Section 120B, 420 of the Indian Penal Code and Section 13 (2) read with Section 13(1) (d) of the Prevention of Corruption Act, 1988. It has also been recommended that the appointment of the candidates whose selection has been found to be irregular, be cancelled. He submits that, therefore, no fault should have been found with the steps taken by the petitioners to terminate the services of the respondent.

9. On the other hand, the learned senior counsel for the respondent, who appears on advance notice of this petition, submits



that in the CBI Report referred to by the learned counsel for the petitioners, allegations of irregularity in appointment of named candidates from different posts has been mentioned, but as far as the post of Offset Machine Attendant is concerned, the respondent has not been named as someone whose appointment was marred with any irregularity.

10. He submits that the Impugned Order of terminating the services of the respondent was not based on the CBI Report. In fact, at the initial stage of the proceedings before the learned Tribunal, no reliance was placed by the petitioners on the said Report and it is only with the Review Petition that the same was relied upon.

11. He further submits that, in any case, there was no Show-Cause Notice issued to the respondent before passing the stigmatic order of terminating the services of the respondent.

12. We have considered the submissions made by the learned counsels for the parties.

13. Admittedly, the services of the respondent was sought to be terminated on the ground of alleged irregularities in the matter of appointment. However, before taking such drastic and stigmatic step, no Show-Cause Notice was issued to the respondent.

14. The CBI Report which has been relied upon by the petitioners, as far as the post of Offset Machine Attendant to which the respondent had been appointed, does not mention his name as a person whose appointment had been irregularly made.

15. The learned Tribunal has also reserved a right with the petitioners to proceed against the respondent in accordance with law,



2025:DHC:6708-DB



if so advised.

16. For the above-stated reasons, we find no infirmity in the Order passed by the learned Tribunal. The petition along with the pending applications is, accordingly, dismissed.

NAVIN CHAWLA, J

MADHU JAIN, J

AUGUST 11, 2025/sg/ik