



2025:DHC:6179-DB



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

*Date of decision: 29.07.2025*

+ W.P.(C) 4126/2024 & CM APPL. 16842/2024  
GOVT OF NCT OF DELHI AND ORS

.....Petitioners

Through: Mr.Karan Vir Singh, SPC with  
Ms.Laavanya Kaushik, GP and  
Mr.Amit, Officer.

versus

PARVESH

.....Respondent

Through: Mr.Prateek Yadav &  
Ms.Shivika Nehra, Advs

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**  
**HON'BLE MS. JUSTICE MADHU JAIN**

**NAVIN CHAWLA, J. (ORAL)**

1. This petition has been filed challenging the Order dated 08.11.2023 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi, in O.A. No. 4363/2018, titled **Parvesh v. GNCTD & Ors**, allowing the said O.A. filed by the respondent herein with the following directions:-

*“20. In the entire conspectus of the facts and circumstances of the case and citations relied upon by learned counsel for both the parties, more particularly considering the protection*



*given to juveniles under The Juvenile Act, we hold that rejection of the claim of the applicant on the basis of his involvement in criminal action during his life as a juvenile, cannot come in the way of his appointment for the post of Constable for which he has been duly selected by the respondents. Accordingly, we dispose of the OA (OA No. 158/2019-lead case), with the following directions:-*

*i) Show Cause Notice dated 03.07.2018 and order dated 21.12.2018 whereby candidature of the applicant to the post of Constable (Exe.) has been cancelled are quashed and set aside;*  
*ii) The respondents are hereby directed to appoint the applicant on the post of Constable as per his merit and subject to his being found suitable after medical examination or any other criteria except the one regarding juvenile acts, as discussed above; and*  
*iii) The exercise, as ordained above, shall be completed by the respondents within a period of eight weeks from the date of receipt of a certified copy of this order. It is made clear that the applicant shall be entitled to wages only from the date he assumes charge of the post in question.”*

2. To give a brief background of the facts in which the present petition arises, the respondent had applied for the post of Constable (Exe.) Male in Delhi Police–2016 under the OBC category. He was provisionally selected for the said post, subject to satisfactory verification of his character and antecedents, medical fitness, and final checking of documents.

3. In the verification of character and antecedents, the petitioners received a report from SP, Rewari, Haryana, stating that the respondent was involved in a criminal case, being FIR No. 165/2010,



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under Sections 323/452/506/34 IPC, Police Station Kasola, Rewari, Haryana, wherein he had been acquitted *vide* order dated 06.08.2013.

4. Claiming that in his attestation form the respondent had not disclosed the filing of the above FIR against him, a Show Cause Notice was issued to him for cancelling his candidature and, eventually, by an order dated 19.09.2018, his candidature was rejected.

5. Aggrieved thereby, the respondent approached the learned Tribunal by way of the above O.A.

6. The learned Tribunal allowed the above O.A., along with the batch of other O.A(s), observing therein that the respondent, on the date of the alleged offence, was a juvenile and, therefore, in terms of Section 19 of the Juvenile Justice (Care and Protection) Act, 2000, and Section 24 of the Juvenile Justice (Care and Protection) Act, 2015, the same was to be expunged from the records.

7. We may herein note that, as far as the other O.A(s) are concerned, the petitioners had also challenged the said Order before this Court, and this Court, *vide* its Judgment dated 18.03.2024, passed *inter alia* in WP(C) 4004/2024, titled **Govt. of NCT of Delhi and Ors. v. Vikas**, 2024:DHC:2179-DB, had remanded the issue back to the learned Tribunal to re-determine it keeping in view the Standing Order No. 398/2018 (wrongly typed in the Judgment as Standing Order No. 398/2010 in the said order). We are informed that even on this remand, the O.A(s) have been decided in favour of the candidates therein, granting them the benefit of the Juvenile Justice (Care and

