



2025:DHC:577-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 31.01.2025

+ W.P.(C) 1238/2025

NAVEEN

.....Petitioner

Through: Mr.Mandeep Baisala, Adv.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr.Badar Mahmood, SPC,
Mr.Ammar Ahmad, Adv.
SI Parhalad, AC V.K. Toppo-
CISF.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

CM APPL. 6047/2025 (Exemption)

1. Allowed, subject to all just exceptions.

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2. This petition has been filed by the petitioner under Article 226 of the Constitution of India, challenging the Orders dated 13.04.2024 and 14.08.2024, by which the respondent no.2 has cancelled the Appointment Letter dated 28.12.2023 of the petitioner for the post of CT/Driver in the (Recruitment of CT(DVR & DCPO) exam-2022) and his request for re-joining has been rejected.

3. It is the case of the petitioner that in compliance with the



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Appointment Letter dated 28.12.2023, the petitioner reported to the CISF RTC Bhilai on 24.03.2024 for undertaking the training for the post of CT/Driver. He was made to wait for 12 days without any reasonable cause. The petitioner left for his home on 13.04.2024 as his mother was unwell and suffering from severe back pain and vaginal infection. The petitioner was advised by someone at the Training Centre that he can submit a request for unwillingness to join and can later rejoin the service. He, therefore, addressed a letter dated 05.04.2024 stating his unwillingness to join the service before leaving for his home. He then received the Impugned Letter dated 13.04.2024 which informed him that his request has been accepted and his appointment to the post had been cancelled. The mother of the petitioner later recovered from her ailments in July 2024, whereafter the petitioner approached the respondents for recalling of the Letter dated 13.04.2024 and to allow him to rejoin the service, however, by the Impugned Letter dated 14.08.2024, this request of the petitioner has been rejected.

4. The learned counsel for the petitioner submits that the petitioner is the sole bread earner in the family and, therefore, a sympathetic view is to be taken in the petition and by the respondents. He submits that the petitioner was misguided to tender his unwillingness to join duty, because of which he addressed the Letter dated 05.04.2024. He submits that the petitioner has also annexed with this petition the Medical Prescription showing the illness of his mother and, therefore,



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the petitioner was always wanting to join the service and it was only because of his mother being unwell that he had to leave from the Training Centre. He submits that, in fact, the petitioner was made to wait for 12 days at the Training Centre without assigning any work to him.

5. The learned counsel for the respondents, who appears on advance notice, submits that the reason for the petitioner to express his unwillingness to join the duty is evident from the fact that he is a resident of Haryana and has been asked to report to Chhattisgarh for training; it appears that the petitioner did not wish to travel so far. He submits that the plea of the petitioner that he has been advised by the Deputy Commandant to submit his unwillingness to join, with a promise that he could be allowed to rejoin, is completely false and an afterthought.

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

7. The petitioner was seeking appointment to the Central Industrial Security Force, which needs to have high standard of discipline. The petitioner, with his own averment in the petition, showed indiscipline right from the inception. The petitioner voluntarily offered his unwillingness to join the Service by Letter dated 05.04.2024, a copy thereof has also not been annexed with this petition. In spite of receipt of the Letter dated 15.04.2024, the petitioner still did not withdraw his unwillingness or make a representation to the respondents to allow



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him to rejoin the service till July, 2024. Only because the mother of the petitioner was unwell, the petitioner cannot be granted be liberty to refuse to join the Service and then seek to join the Service at his own convenience. The submission of the petitioner that he was given to understand that he would be allowed to rejoin service at his own convenience, does not inspire the confidence of this Court.

8. We, therefore, find no reason to interfere in the Impugned Orders passed by the respondents.

9. Accordingly, the petition is dismissed. There shall be no order as to costs.

NAVIN CHAWLA, J

SHALINDER KAUR, J

JANUARY 31, 2025/Arya/IK

[Click here to check corrigendum, if any](#)