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

+ **W.P.(C) 18899/2025**

GOVT OF NCT OF DELHI AND ORSPetitioners

Through: Mrs. Avnish Ahlawat, SC with
Mr. Nitesh Kumar Singh,
Ms. Aliza Alam and
Mr. Mohnish Sehrawat, Adv.

versus

GAGAN KUREELRespondent

Through: Mr. Harsh Parashar and Mr.
Shadab Azhar, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

% **12.12.2025**

CM APPL. 78688/2025 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 18899/2025 & CM APPL. 78687/2025

2. This petition has been filed challenging the Order dated 13.11.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 1812/2025, titled ***Gagan Kureel v. Government of National Capital Territory of Delhi & Ors.***, allowing the O.A. filed by the respondent herein with the following directions:

"12. In light of the above discussion, we are of the opinion that the applicant's suspension could not have been continued beyond 270 days from the date of the initial suspension order dated 18.12.2023. All extension orders beyond the said period are, therefore, illegal



and unsustainable. The appellate order of the Hon'ble Lt. Governor also cannot stand for the reasons stated hereinabove. Accordingly, we dispose of this O.A. with the following directions:

- (i) All extension orders continuing the applicant's suspension beyond 270 days from 18.12.2023 are quashed and set aside.*
- (ii) The appellate order dated 15.04.2025 is also quashed and set aside.*
- (iii) The respondents are directed to reinstate the applicant with all consequential benefits with effect from the date of expiry of 270 days from 18.12.2023."*

3. The respondent had been placed under suspension vide an order dated 18.12.2023, and approached the learned Tribunal challenging the said order as also the orders of extension of the period of suspension. Also in challenge was the Hon'ble Lt. Governor's order dated 15.04.2025 rejecting the appeal filed by the respondent thereagainst.

4. One of the contentions raised by the respondent was that as 270 days had expired from the initial order of suspension, no further extension could have been granted and that it should have been treated as a case of automatic reinstatement. The same has been accepted by the learned Tribunal in its impugned order.

5. The learned counsel for the petitioners contends that not only had the period of suspension been extended by the Competent Authority, being the Hon'ble Lt. Governor of Delhi, but also that the respondent had been arrested in relation to FIR No. 03/2025 under Section 13(A) of the Prevention of Corruption Act, 1988 read with Sections 409/420/468/471/120B of the India Penal Code, 1860.A



charge sheet under Rule 14 of the CCS (CCA) Rules, 1965 ('Rules'), had also been issued to the respondent on 19.03.2025.

6. She submits that the provisions of Rule 10(7) of the CCS (CCA) Rules, 1965, when read harmoniously with Rule 10(1) and Rule 10(2) of the said Rules, would lead to an automatic extension of the period of suspension beyond 270 days.

7. We have considered the submissions made by the learned counsel for the petitioner.

8. Rule 10(7) of the Rules is clear in its terms. It provides that where an officer is suspended under Rule 10(1)(a) of the Rules, the maximum period of suspension shall be 270 days. The said suspension cannot be extended thereafter. In the present case, the 270 days would have expired in September 2024, and therefore, there was no question of extension of suspension thereafter.

9. At the same time, the final direction of the learned Tribunal as quoted hereinabove does not take into account the subsequent events, including that the departmental charge sheet was issued against the respondent on 18.03.2025 and that the respondent was arrested in relation to the abovementioned FIR on 30.06.2025 and remained in custody till 07.08.2025, that is, beyond a period of 48 hours. In terms of Rule 10(2) of the Rules, therefore, this would have been a case of deemed suspension, at least from the date of his arrest. A blanket order of reinstatement of the respondent, therefore, could not have been passed by the learned Tribunal.

10. Issue notice.

11. Notice is accepted by Mr. Harsh Parashar on behalf of the



respondent.

12. Let a counter affidavit be filed within a period of three weeks from today. Rejoinder thereto, if any, be filed within a period of three weeks thereafter.

13. In the meantime, as the respondent has been placed under deemed suspension by an order dated 05.12.2025 passed by the competent authority, the direction of reinstating the respondent in service shall remain stayed.

14. List on 19th February, 2026.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 12, 2025/b/rm/ik