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

+ **W.P.(C) 7931/2013**

RADHA CHAUHAN

.....Petitioner

Through: Ms. Ankita Patnaik, Advocate/
DHCLSC.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: Ms. Latika Choudhury, Advocate for
R-1.

Mr. Rishikesh Kumar, ASC with Ms. Sheenu
Priya, Mr. Vikas Saini, Mr. Atik Gill, Mr. Sudhir
Kumar Shukla and Mr. Sudhir, Advocates for
GNCTD.

Mr. Ishkaran Singh Bhandari, CGSC with Mr.
Rajat Mohan Dwivedi, Advocate for R-2 with Mr.
Sachin Dahiya, SI, Special Cell.

Mr. Nishant Gautam, CGSC with Mr. Vardhan
Kaushik, Ms. Sanjana Mehrotra, Mr. Vipul Verma
and Mr. Mayank Sharma, Advocates for R-3.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

26.11.2024

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1. This writ petition has been preferred by the Petitioner for a direction to the Respondents to acknowledge her courageous act while being posted at the Parliament House during the attack. Petitioner claims to be an appointee in the Home Guards in March, 1990. Serious disputes have been raised by the Respondents including the Home Guards denying her very appointment to the said post.



2. Petitioner has placed reliance on several documents during the course of hearing which in her submission vindicate her stand and these include a Certificate for Basic Training issued by Directorate General of Home Guards and Civil Defence, Delhi (Annexure P-1); relevant page from the attendance register for December, 2001 (Annexure P-2); and order issued by Mr. R.L. Meena, Dy. Commissioner of Police, Traffic (NR) (Delhi) (Annexure P-3). Petitioner who appears in person along with the learned counsel nominated by DHCLSC, has handed over some medical documents which according to her demonstrate that she was admitted to Ram Manohar Lohia Hospital for treatment when bullets were fired at her during the attack. Copies of the medical documents have been handed over to the counsel representing RML, who in turn sent the screenshots to Deputy Director, RML Hospital for verification.

3. The stand of the Respondent No. 1/Home Guards is that Petitioner was never recruited by them and the documents placed on record, more particularly, Annexures P-1 and 2 are forged. Ms. Latika Chaudhury also submits that as per the affidavit filed by the Petitioner in support of the writ petition, she was 38 years in age when the writ petition was filed, which implies that she was allegedly recruited in the Home Guards at the age of 15 years which is not possible as this cannot be the age of recruitment. Stand of the Delhi Police is that Petitioner was never deputed as part of security of the Parliament and therefore the question of any act of bravery for which Petitioner seeks a reward does not arise. Counsel for RML, on instructions, from a *prima facie* examination of the medical documents, urges that the documents are fabricated. In order to support this plea, it is pointed out that the OPD registration card, in addition to the name of the Petitioner, also



bears the name of one CRPF personnel, 88 Battalion *albeit* the name is not clearly legible, which is not possible as no OPD card can be in two different names. Drawing the attention of the Court to the landline numbers mentioned on top right of the OPD card, it is submitted that these numbers did not exist in the year 2001 in RML hospital. Question is also raised on the format of the OPD card on the ground that this format was not used by the Hospital in the year 2001 as this format was introduced subsequently. Learned counsel submits that there is yet another glaring discrepancy in the medical document pertaining to the A.B.V.I.M.S., Department of Radiology, Dr. Ram Manohar Lohia Hospital, since the Institute came into existence only in 2009 and was called Post Graduate Institute of Medical Education and Research, New Delhi (PGIMER) and its name changed to A.B.V.I.M.S. only in 2019 and therefore no document allegedly referring to an x-ray of the Petitioner in the name of A.B.V.I.M.S. could have been issued in 2001.

4. The submissions made by the counsels for the Respondents including serious allegation of forging of documents is put to the Petitioner. It is also put to her by the Court that there being a dispute on the genuineness of these documents, the same should be sent for investigation and forensic examination, to which the Petitioner has no objection.

5. Accordingly in the circumstances detailed above, Deputy Commissioner of Police (Special Cell), is directed to examine the documents which have been placed in a sealed cover and send his report on the genuineness of the same. It will be open to the concerned DCP to refer the documents for forensic examination and also seek assistance from whichever agency as required as also to call the Petitioner and/or representatives from the Respondents for the purpose of examination.



6. The sealed cover will be handed over to Deputy Registrar (Writs) by the learned Court Master and the same shall be sent to the Office of DCP (Special Cell) by a special messenger and handed over 'under acknowledgement'. Report shall be sent by the learned DCP (Special Cell) to the Registrar General of this Court in a sealed cover within a period of five weeks from today.

7. List on 13.01.2025.

JYOTI SINGH, J

NOVEMBER 26, 2024/shivam