

RAJASTHAN HIGH COURT



सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 1663/2019  
CNR: RJHC020972532019 | URN: SAW / 3162U / 2019

Mahipal Singh S/o Shri Bhinva Ram, Aged About 52 Years, R/o Village Nayabas, Post Patoda Via Bisau, District Jhunjhunu.

----Appellant

Versus

1. Union Of India, Through Secretary To Government Of India, Ministry Of Home Affairs, South Block, New Delhi.
2. Deputy Inspector General Of Police, Central Reserve Police Force, Ajmer.
3. Commandant, 67Th Battalion, Central Reserve Police Force, Golaghat (Assam)

----Respondents

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| For Appellant(s)  | : | Mr. D.K. Dixit  |
| For Respondent(s) | : | Mr. Gaurav Jain |

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**HON'BLE MR. JUSTICE INDERJEET SINGH**  
**HON'BLE MR. JUSTICE SANDEEP TANEJA**

**Order**

**21/08/2026**

1. This appeal has been filed by the appellant challenging the order dated 22.08.2019 passed by the learned Single Judge of this Court, whereby the writ petition filed by the appellant challenging the punishment of dismissal from service inflicted upon him by the Disciplinary Authority vide order dated 21.10.2001 was dismissed.
2. Brief facts of the case are that while working as Constable in the Central Reserve Police Force (CRPF), the appellant was served with a charge-sheet on 20.08.2001 containing four charges framed against him, reply to which was filed by him. The Enquiry Officer after providing due opportunity of hearing to the parties

and upon appreciation of the material came before it, out of four charges, found three charges proved against the appellant and submitted its report to the Disciplinary Authority which after considering the same, vide its order dated 21.10.2001 inflicted the punishment upon the appellant of dismissal from service.

3. The said order of the Disciplinary Authority dated 21.10.2001 was challenged by the appellant before the learned Single Judge by filing a writ petition, which was dismissed by the learned Single Judge vide its order dated 22.08.2019. Hence, this appeal has been filed.

4. Learned counsel for the appellant submits that the charges framed against him are false and he was not afforded proper opportunity to cross-examine the departmental witnesses produced during the course of enquiry. Counsel further submits that there was no report of consuming liquor submitted before the Enquiry Officer and prayed for allowing the appeal.

5. Learned counsel for the respondents opposed the submissions made by learned counsel for the appellant and submitted that the appellant had never prayed for cross-examining the departmental witnesses before the Enquiry Officer. Counsel further submits that as many as four charges were framed against the appellant, out of which three charges were found proved. Counsel also submits that the appellant was in the service of Disciplined Forces, therefore, no lenient view can be taken in favour of the appellant and prayed for dismissal of the appeal.

6. Heard learned counsel for the parties and perused the record.

7. The learned Single Judge relying on various decisions of the Hon'ble Supreme Court dismissed the writ petition and in paragraph-13 of its order observed as under:-

"13. After hearing counsel for the parties and on a perusal of the material available on record, this court is of the opinion that the respondents are Disciplined Forces and the enquiry has been done strictly in accordance with law and the charges levelled are of the very serious nature. The enquiry officer has examined the thirteen independent witnesses who have consistently deposed substantiating the fact of the charges proved. This court finds that the act of insubordination, intoxication and causing hurt to the colleagues as proved are very serious issues for a personnel who is otherwise armed and uniformed and are doing critical duties of law and order. The discipline in such force has to be maintained. The precedent law is consistent that the factual matrix of the discipline enquiry need not be revisited in writ jurisdiction. The precedent law cited by the respondent is applicable. No cause of interference is made out."

8. We have perused the order of the learned Single Judge dated 22.08.2019. The appellant belongs to Disciplined Forces, therefore, in our opinion no lenient view can be taken in his favour and the Disciplinary Authority has passed a well-reasoned order after following the due procedure of law. In the facts and circumstances before us, we are in complete agreement with the view taken by the learned Single Judge.

9. In that view of the matter, the present appeal stands dismissed. Pending application(s), if any, stands, disposed of.

(SANDEEP TANEJA),J

(INDERJEET SINGH),J