

2025 LiveLaw (SC) 1117

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

AHSANUDDIN AMANULLAH; J., PRASHANT KUMAR MISHRA; J.

SLP(C) No.24705 of 2023; 12 NOVEMBER, 2025

COMMISSIONER OF POLICE & ORS. *versus* EX. CT. VINOD KUMAR

Police Service — Dismissal — Appointment based on Forged Degree/Certificate - The respondent, appointed as a Constable in Delhi Police in 1988, was dismissed from service in 1997 after a complaint in 1996 alleged his appointment was based on a forged and fabricated degree/certificate - The Central Administrative Tribunal ("CAT") and the High Court of Delhi set aside the dismissal and remanded the matter for a full-fledged departmental inquiry - The Supreme Court allowed the appeal, holding that the orders passed by the CAT and the High Court were unsustainable – Held, the act of getting an appointment in a uniformed service like the police, which is supposed to uphold the rule of law, on the basis of a forged degree/certificate is un-condonable - In the particular facts and circumstances of the case, where the forgery was established, the absence of a full departmental inquiry may not be a factor to vitiate the final order of dismissal from service - Appeal allowed. [Para 8]

For Petitioner(s) Mr. Vikramjeet Banerjee, A.S.G. (N/P) Mr. Mukesh Kumar Maroria, AOR Mr. Sanjay Kumar Tyagi, Adv. Mr. Rajan Kumar Chourasia, Adv. Ms. Gargi Khanna, Adv. Mr. Annirudh Sharma II, Adv. Ms. Astha Singh, Adv.

For Respondent(s) Mr. Ankur Chhibber, Adv. Mr. Yogesh Kumar Mahur, Adv. Mr. Harkesh Prashar, Adv. Mr. Ronak Karanpuria, AOR.

[Arising out of impugned final judgment and order dated 25-05-2023 in WPC No.7276/2023 passed by the High Court of Delhi at New Delhi]

For Petitioner(s) Mr. Vikramjeet Banerjee, A.S.G. (N/P) Mr. Mukesh Kumar Maroria, AOR Mr. Sanjay Kumar Tyagi, Adv. Mr. Rajan Kumar Chourasia, Adv. Ms. Gargi Khanna, Adv. Mr. Annirudh Sharma II, Adv. Ms. Astha Singh, Adv.

For Respondent(s) Mr. Ankur Chhibber, Adv. Mr. Yogesh Kumar Mahur, Adv. Mr. Harkesh Prashar, Adv. Mr. Ronak Karanpuria, AOR

ORDER

Heard learned counsel for the parties.

2. Leave granted.

3. The present appeal is directed against the impugned order dated 25.05.2023 passed by the High Court of Delhi at New Delhi in W.P.(C) No.7276 of 2023, by which the order dated 04.02.1997 passed by appellant no.4 dismissing the respondent from service, as affirmed by the Central Administrative Tribunal, Principal Bench at New Delhi (for short, the "CAT") vide its order dated 23.09.2022, has been upheld by the High Court.

4. Learned counsel for the appellants submitted that the respondent was appointed as a Constable in Delhi Police in the year 1988. However, a complaint was received in the year 1996 alleging that the appointment of the respondent was based on a forged and fabricated degree/certificate submitted by him at the time of applying for the post and relying upon which, his appointment was made to the post of Constable. However, it was pointed out that in view of the admitted position when the degree/certificate produced by the respondent on the basis of which appointment was given to him had been established to be forged and fabricated, the authorities did not go for a full-fledged departmental

proceedings and passed an order of dismissal from service. The same being challenged resulted in a favourable order in favour of the respondent by the CAT, which has been affirmed by the High Court.

5. Learned counsel for the appellants further submitted that in the background of such a glaring criminal conduct by the respondent that too, for being appointed to the post of Police Constable itself, was sufficient for the CAT as well as for the High Court, not to interfere. It was submitted that the respondent has never produced any evidence to even indicate that the degree/certificate submitted by him was genuine. Learned counsel, in terms of our order dated 13.08.2025 has produced the original degree/certificate, which was submitted by the respondent and also the letter from the authority(ies) concerned categorically stating that such degree/certificate was forged and fabricated. The Court has also perused the same.

6. Learned counsel for the respondent submitted that the High Court has merely remanded the matter to the appellants for conducting a full-fledged departmental inquiry and thus, the Court may not interfere.

7. The Court, upon a request made by learned counsel for the respondent, has allowed him to peruse the original records, which were produced before the Court and he has gone through the same.

8. Having considered the matter, we have no hesitation in holding that the orders passed by the CAT as well as by the High Court are unsustainable. The fact that once on the basis of a forged degree/certificate, a person gets appointment in the uniformed service of the country, that being the police, which is supposed to uphold the rule of law, the act of the respondent is uncondonable. The further fact which is admitted is that there is absolutely, no rebuttal by the respondent that the certificate/degree presented by him before the appellants at the time of his appointment and on the basis of which, he was appointed as a Constable, is genuine. Having perused the original records and the letter from the issuing authority which categorically stating that the degree/certificate in question is forged and fabricated leaves no doubt that such fact cannot be controverted. Thus, no holding of a departmental inquiry in the particular facts and circumstances of the present case may not be a factor to vitiate the final order of dismissal from service passed against the respondent. Thus, on this short point, the appeal is allowed and the order of the CAT as affirmed by the High Court stands set aside. The punishment of dismissal from service awarded to the respondent by the concerned appellants stands restored. No order as to costs.

9. After perusal, the original records have been returned to learned counsel for the appellants.

10. Pending application(s), if any, shall stand disposed of.