

Court No. - 40

Case :- WRIT - C No. - 30116 of 2023

Petitioner :- Sanjay Yadav

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Arvind Kumar Yadav

Counsel for Respondent :- C.S.C

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Shri Arvind Kumar Yadav, learned counsel for the petitioner and Ms. Subhra Singh, learned Standing Counsel for the State-respondents.

2. By means of the present writ petition, the petitioner has prayed for a direction in the nature of mandamus commanding/directing the concerned respondents to issue the character certificate of the petitioner.

3. It transpires from the record that the petitioner is working as Electrician (Technician), Grade- Skill in the National Thermal Power Corporation Ltd. (NTPC), Tanda, District- Ambedkar Nagar. Initially, Entry Gate Pass was issued in favour of the petitioner by NTPC in the year 2021. Thereafter, the NTPC had verified the character certificate of petitioner through Uttar Pradesh Police (CCTNS-Citizen Portal)/ concerned police authorities and adverse report was received from the concerned police station. The said report is also appended on record as Annexure No.2 to the writ petition. In the said report, this much is averred that NCR No. 204 of 2012, under Sections 323, 504 of IPC, Police Station- Gaura Badshahpur, District- Jaunpur is registered against the petitioner in which police report has also been submitted and as such the character certificate of the petitioner cannot be verified.

4. Learned counsel for the petitioner, in this backdrop, states that the petitioner did not have the knowledge of the said NCR and the same has been acknowledged to him when negative report has been received by the National Thermal Power Corporation. It is contended that the petitioner has been falsely implicated in the said NCR due to village partibandi. He has no criminal history except the said case. Even the allegations leveled in the said NCR is not heinous, which may deprive the petitioner to get the character certificate from the concerned police station. The said character

certificate is required only for the purposes of getting entry pass at NTPC. It is submitted that yearly character verification of every employee is required by the company and due to the said adverse report, his livelihood is at stake and as such this Court may come for rescue and reprieve of the petitioner.

5. Considering the facts and circumstances of the case, we find that the character certificate is required only for the purposes of getting the entry pass at the work place. The aforesaid criminal case does not bear any such criminal antecedent, which may deprive him to get employment at the work place. As such without adverting on merits of the case, we **dispose of** the writ petition asking the Senior Superintendent of Police, Jaunpur to take all remedial measures only for the limited purpose so that the petitioner may get entry pass.

Order Date :- 16.10.2023

Rama Kant