

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

WP(C) No. 381 of 2023

Jwala Kumar Singh.

...Petitioner

- Versus -

Union of India & 7 Ors.

...Respondents

**B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

28-01-2025

[1] Heard Mrs. L. Sillori, learned counsel for the petitioner and Mr. S. Vijayanand Sharma, learned Sr. PCCG along with Mr. Shokpei Woleng, learned counsel for the respondents.

[2] The petitioner, who was appointed as Constable/GD in the Central Reserve Police Force (CRPF) vide order dated 17-03-2021, was terminated for deliberately not disclosing his arrest in criminal case. In pursuance of sub-rule (1) of Rule 5 of the Central Civil Services (Temporary Service) Rules, 1965, the Commandant-143 Battalion CRPF terminated the service of the petitioner on expiry of statutory one month from the date of receipt of the impugned notice dated 23-03-2023.

[3] The petitioner challenges the notice of termination of service dated 23-03-2023 mainly on the ground that the order is in violation of Rule 5 of the Central Civil Services (Temporary Service) Rules, 1965 as the reason of termination for an employee under probation period should not be mentioned and another ground is that the termination is without conducting

an enquiry in terms of Article 311 of the Constitution of India. Admittedly, the writ petition was filed on 21-04-2023. However, during the pendency of the writ petition, the Inspector General, Karnataka-Kerala Sector, CRPF issued another order dated 02-05-2023 deleting the offending part from the impugned notice of termination of service dated 23-03-2023 and the reasons mentioned in the said notice have been deleted.

[4] It is the case of the petitioner that the order dated 02-05-2023 has not been furnished to the petitioner and in the circumstances, vide order dated 13-12-2024, this Court directed the learned counsel appearing for the Central Government to produce a copy of the order dated 02-05-2023 sent to the petitioner with the postal endorsement. Accordingly, Mr. S. Vijayanand Sharma, learned Sr. PCCG has produced a copy of the letter dated 15-01-2025 sent by the DIG-ADM-IGKKS to the DIG (Adm), Manipur & Nagaland Sector, CRPF with the postal receipt of sending the second order dated 02-05-2023 to the petitioner.

[5] Mrs. L. Sillori, learned counsel for the petitioner submits that since the order dated 02-05-2023 deleting certain offending part of impugned notice of termination of service dated 23-03-2023 has been issued after filing of the writ petition, the same has no substance and cannot affect the merit of the writ petition.

[6] However, this Court is of the opinion that after the issuance of the subsequent order dated 02-05-2023 by the Inspector General of Police, Karnataka-Kerala Sector, CRPF deleting certain offending part of the notice of termination of service dated 23-03-2023, the writ petition can be disposed

of giving liberty to the petitioner to challenge the order dated 02-05-2023 issued by the Inspector General, Karnataka-Kerala Sector, CRPF, if so desired. Accordingly, the writ petition is disposed of without expression any opinion on the merit of the case and giving liberty to the petitioner to challenge the order dated 02-05-2023 issued by the Inspector General of Police, CRPF Karnataka-Kerala Sector before the appropriate forum, if so advised. It is clarified that if any petition is filed before the appropriate forum, the matter shall be considered on merit.

[7] Mr. S. Vijayanand Sharma, learned Sr. PCCG has placed before this Court a copy of the letter dated 15/1/2025 of DIG-ADM-IGKKS and a postal receipt and the same are taken on record.

[8] Furnish copy of this order to the learned counsel appearing for the parties.

JUDGE

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