

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT PETITION No.15914 of 2016

Date:02.6.2016

Between:

The Commissioner of Police,
Cyberabad Commissionerate,
Hyderabad and two others.

.....Petitioners

And:

T.Amitha, W/o Rajesh Prasad
and another.

....Respondents

Counsel for the petitioners: GP for Services (TS)

Counsel for the Respondents: None appeared

The Court made the following:

ORDER: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

The State of Telangana and the functionaries of Police Department filed this Writ Petition feeling aggrieved by order, dated 04.12.2015, in Original Application No.4957 of 2015 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad.

The brief facts leading to the filing of this Writ Petition are that respondent No.1 was selected and appointed as Stipendiary Cadet Trainee Police Constable (Civil) (Women) on 10.12.2014 by petitioner No.1. After successful completion of nine months basic induction training at RBVRR-A.P. Police Academy, Himayatsagar, Hyderabad, respondent No.1 joined at Narsingi Police Station and was attached to SHE Team of Shamshabad zone. While so, by proceedings, dated 07.8.2015, the services of respondent No.1 were terminated by petitioner No.1 on the ground of her unsatisfactory conduct for suppressing her involvement in a criminal case. Feeling aggrieved by the same, respondent No.1 filed the above-mentioned O.A. She has pleaded before the Tribunal that there was a serious civil dispute between her husband and the latter's brother in respect of ancestral property and in connection therewith, her husband's brother gave a report to the Police of Shahinayathgung Police Station, Hyderabad on 27.11.2014, wherein he has informed that F.I.R.No.63 of 2011 for the offence under Section-324 I.P.C. was registered on 06.3.2011 and F.I.R.No.157 of 2010 for the offence under Section-324 read with 34 I.P.C. was registered in the same Police Station on 13.6.2010 and that two petty cases were also registered against respondent No.1 and her husband for the offences under Sections-70-B and 59 of the City Police Act on 21.6.2009 and 22.6.2009 respectively. She has further averred that F.I.R.No.63 of 2011 was closed due to lack of evidence and F.I.R.No.157 of 2010 which was taken cognizance as C.C.No.320 of 2011 by the Court of the XXII Special Court, Nampally, Hyderabad ended in acquittal on merits and that, in the two petty cases, respondent No.1 was not arraigned as accused and the Police found the complaints as "false". The Tribunal has taken note of

these facts and observed that all the criminal cases were registered in connection with a civil dispute between the family members of respondent No.1 and that, not only that they were closed but also no moral turpitude of respondent No.1 was involved in these cases. On this reasoning, the Tribunal found that non-disclosure by respondent No.1 about these cases, which already ended by the time of her making application for employment, could not have been made a ground for termination of her employment.

Having carefully considered the facts of the case and the reasons recorded by the Tribunal, we do not find any reason to interfere with the impugned order. Hence, the Writ Petition is dismissed.

As a sequel to dismissal of the Writ Petition, WPMP.No.19689 of 2016 filed by the petitioners for interim relief is dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

JUSTICE G.SHYAM PRASAD

*02nd June 2016
DR*