

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No. 42103 of 2016

ORDER: (*Per VRS,J*)

The State has come up with the present writ petition, challenging an order passed by the Andhra Pradesh Administrative Tribunal, directing the petitioners to issue appointment orders to the 1st respondent herein.

2. Heard the learned Government Pleader for Services (Telangana) appearing for the respondents.

3. It appears that in the year 2010, when the 1st respondent claims to have been a student, there was a family feud between his family and another family. A criminal complaint was registered for an offence alleged under Section 160 IPC and the 1st respondent was imposed a fine of Rs.100/-.

4. When a notification was issued in the year 2012 for recruitment to the post of Police Constables, the 1st respondent applied. It is pertinent to note that he made a mention about the criminal case.

5. Therefore, on the basis of Rule 3 (G) (v) of the Andhra Pradesh Police (Stipendiary Cadet Trainee) Rules, 1999, the petitioners declared the 1st respondent as disqualified. The Tribunal set aside the order, on the basis of the decision of the Supreme Court in ***Pawan Kumar Vs. State of Haryana***¹. Aggrieved by the said order, the State is before us.

6. There are two reasons as to why we do not wish to interfere with the order of the Tribunal. The first is that the 1st respondent was a student at the time when the criminal complaint was registered. The second is that obviously, it was a feud between two families, in which, the 1st respondent got implicated only for an offence under Section 160 IPC. Therefore, the order of the Tribunal does not call for interference. Hence, the Writ Petition is dismissed.

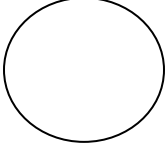
Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

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¹ LAWS (SC) 1995 (5) 10



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