

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

W.P.NO.12673 OF 2017

ORDER

Pursuant to the notification dated 15.11.2008 issued by State Level Police Recruitment Board, for recruitment to the post of Stipendiary Cadet Trainee Police Constable (AR), petitioner participated in the selections and was provisionally selected. However, on verification of antecedents, as it was found that petitioner was involved in Crime No.32/2006 on the file of Police Station Khanapur for the offences punishable under Sections 148, 324, 325 and 436 read with 149 IPC and that as the same was not disclosed in the application submitted by him, he was not selected in the final list. Aggrieved by the same, the present writ petition is filed.

The learned counsel appearing for the petitioner submits that the petitioner was acquitted in the criminal case even before the application was submitted and that merely on the ground of non-disclosure of information relating to his involvement in criminal case, his selection cannot be denied and that he is entitled for appointment. In support of his case, the learned counsel relied on the judgment of the Supreme Court in **AVTAR SINGH vs. UNION OF INDIA**¹.

The acquittal of the petitioner was of the year 2008 and the judgment of the Supreme Court was rendered on 21.7.2016. Therefore, having regard to the fact that the petitioner was acquitted even prior to submission of the application, he is granted liberty to make a representation to the 3rd

¹ (2016)8 SCC 471

respondent – Commissioner ventilating his grievance and relying on the judgment of the Supreme Court in Avtar Singh’s case (1 supra).

As and when such a representation is made, the 3rd respondent – Commissioner, is directed to examine the claim of the petitioner and take decision and communicate the decision to the petitioner by a reasoned order within a period of six weeks from the date of receipt of such a representation.

The writ petition is accordingly disposed of. No costs. Miscellaneous petitions pending if any, shall stand closed.

DATE:19—04—2017

AVS



P.NAVEEN RAO,J