

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION NO.28239 OF 2016

ORDER: (per SK,J)

The petitioner is the unsuccessful applicant in O.A.No.2434 of 2016 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. He filed the said O.A. assailing the proceedings dated 21.05.2016 issued by the Chairman, Telangana State Level Police Recruitment Board, Hyderabad, cancelling his provisional selection as a Stipendiary Cadet Trainee Police Constable (Civil) (Men) in Recruitment – 2012. By order dated 12.07.2016, the Tribunal dismissed the O.A. Aggrieved thereby, he is before this Court.

Perusal of the record reflects that the reason for cancellation of the petitioner-applicant's selection was his involvement in Crime No.123 of 2011 on the file of the Uppal Police Station registered under Sections 448, 324, 506 and 509 IPC. The petitioner-applicant seems to have been acquitted of the charges in Criminal Appeal No.842 of 2014 on the file of the learned III Additional District and Sessions Judge, Ranga Reddy District, *vide* judgment dated 27.05.2015. However, the Tribunal opined that mere acquittal in the criminal case would not, by itself, result in a clean chit being given to the petitioner-applicant and as entry into police service requires a candidate to be of impeccable character, integrity and clean antecedents, the Tribunal denied him relief.

In the light of the recent judgment of the Supreme Court in Avtar Singh v. Union of India¹, we are of the opinion that the cause in this writ petition does not survive for adjudication on merits. Ultimately, it is

¹ (2016) 8 SCC 471

for the employer to decide as to what would be the impact of the involvement of a candidate in a criminal case and suppression thereof by him, if any. This is the import of the edict laid down by the Supreme Court in the aforestated decision. We therefore find no grounds to interfere with the order passed by the Tribunal.

The writ petition is accordingly dismissed. However, in terms of the law laid down in Avtar Singh¹, the petitioner-applicant is at liberty to make a representation to the State Level Police Recruitment Board, Hyderabad, setting out his grievance. In the event such a representation is made, the Board shall consider the same keeping in mind the observations made by the Supreme Court in paragraphs 34 to 38 (both inclusive) and take a decision in the matter. This exercise shall be completed expeditiously and in any event, not later than eight weeks from the date of receipt of the representation made by the petitioner-applicant, if any.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

SANJAY KUMAR,J

M.GANGA RAO,J

Date:23.04.2018

GJ