

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

WRIT PETITION No.37322 OF 2015

O R D E R

(per Hon'ble Sri Justice Sanjay Kumar)

The petitioner is the unsuccessful applicant in O.A.No.7338 of 2014 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. The said O.A. was dismissed by the Tribunal *vide* order dated 08.10.2015. The prayer of the petitioner in the said O.A. was to set aside the Memo dated 26.11.2014 issued by the Chairman, State Level Police Recruitment Board, State of Telangana, cancelling his provisional selection as a Reserve Sub-Inspector of Police in the Telangana State Special Police. He also sought a consequential direction to the police authorities to send him for training pursuant to the selection to the said post. The Tribunal opined that as the petitioner/applicant did not disclose the details of the criminal cases filed against him in his attestation form and that he was arrested in those cases, he was not entitled to any relief and accordingly dismissed the O.A.

We are informed that the Supreme Court had occasion to consider suppression of involvement in criminal cases by candidates applying for the uniformed services in *Avtar Singh v. Union of India*<sup>1</sup>. In the light of the law laid down by the Supreme Court therein, we are of the opinion that the matter does not require to be adjudicated on merits by this Court.

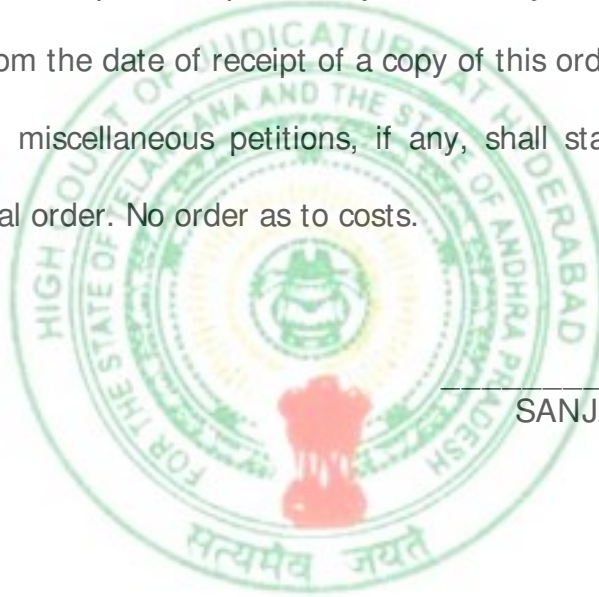
In terms of the aforestated judgment, it is ultimately within the discretion of the employer to consider the impact of the involvement of the candidate in a criminal case and suppression thereof by him, if any.

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<sup>1</sup> (2016) 8 SCC 471

The writ petition is accordingly disposed of taking note of the fact that the petitioner/applicant already made an application to the State Level Police Recruitment Board on 08.01.2018 setting out his grievance. In the event such a representation is not available with the State Level Police Recruitment Board, State of Telangana, a copy thereof shall be furnished by the petitioner/applicant upon intimation. Upon duly considering the contents thereof in the light of paragraphs 36 to 38 of the judgment rendered by the Supreme Court in Avtar Singh<sup>1</sup>, the State Level Police Recruitment Board shall 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 a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.



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SANJAY KUMAR,J

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M.GANGA RAO,J

16<sup>th</sup> April, 2018

PGS