

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.17496 OF 2014

ORDER:

1. When this matter is taken up for hearing, the learned Counsel for the petitioner submits that the issue raised in this writ petition is squarely covered by the orders passed in W.P.No.39749 of 2015 and batch of cases dated 4.8.2016 and therefore, this writ petition may be disposed of in terms of the orders in the above writ petition.

2. Further, the learned Counsel for the petitioner contends that the services of the petitioner were terminated vide orders dated 27.5.2014 on the ground that the petitioner suppressed certain information in the application form about the pendency of criminal case. He further contends that the petitioner was acquitted by a competent Criminal Court and since he was acquitted in criminal case, he had not disclosed about the criminal case in the application form. The learned Counsel for the petitioner contends that in view of the law laid down by the Hon'ble Supreme Court in ***Avtar Singh Vs. Union of India and Others*** in SLP Nos.4757/2014 and 24320/2014 vide order dated 21.7.2016, the respondents are bound to reconsider the case of the petitioner and pass appropriate orders.

3. The learned Assistant Solicitor General of India has not disputed the submissions made by the learned Counsel for the petitioner. He contends that the Hon'ble Supreme Court

recently considered the similar issue in the case of ***State of Madhya Pradesh and others Vs. Abhijit Singh Pawar*** in Civil Appeal No.11356/2018 vide judgment dated 26.11.2018, and therefore, this writ petition can be disposed of in terms of the said judgment.

4. In view of the above said contentions, this Court is of the view that this writ petition can be disposed of directing the respondents to reconsider the case of the petitioner in terms of the judgments of the Hon'ble Supreme Court in the cases referred to supra and also in terms of the orders passed by this Court in W.P.No.39749/2015 and batch, dated 4.8.2016 and pass appropriate orders, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is disposed of in terms of the judgments of the Hon'ble Supreme Court in the cases referred to supra and also in terms of the orders passed by this Court in W.P.No.39749/2015 and batch, dated 4.8.2016 and pass appropriate orders, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 28.12.2018
Nn.

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

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28/12/2018

Nn.