

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

WRIT PETITION NO.42650 OF 2018

ORDER: (per SK,J)

The petitioner filed O.A.S.R.No.5916 of 2017 before the Andhra Pradesh Administrative Tribunal, Hyderabad, seeking to assail the proceedings dated 04.03.2017 of the State of Andhra Pradesh and the Memo dated 29.04.2011 issued by the Chairman, State Level Police Recruitment Board, Andhra Pradesh, Hyderabad, in relation to the cancellation of his provisional selection as a Stipendiary Cadet Trainee Police Constable (Civil) in Sri Potti Sriramulu Nellore District, on the ground of suppression of his involvement in a criminal case. As there was a delay of six years six months and twenty nine days in filing the O.A., he filed M.A.No.1122 of 2017 in O.A.S.R.No.5916 of 2017 to condone the said delay. By order dated 12.12.2017, the Tribunal dismissed the M.A. and rejected the O.A.S.R. Aggrieved thereby, the petitioner filed the present writ petition.

It is not in dispute that the petitioner's provisional selection was cancelled on 29.04.2011.

Sri M.R.Tagore, learned counsel for the petitioner, would state that the petitioner made a representation apart from the representation made by his father and it was only on 08.03.2016 that the Chairman of the State Level Police Recruitment Board, Andhra Pradesh, Hyderabad, issued a Memorandum stating that nothing could be done on his representation after a lapse of more than four years. Learned counsel would therefore assert that taken from 08.03.2016, the delay on the part of the petitioner

was not substantial and therefore, the Tribunal ought not to have non-suited him on the ground of delay and laches.

However, this argument loses sight of the fact that after the cancellation of his provisional selection as long back as in April, 2011, the petitioner himself did nothing in the matter till 2016. Memorandum dated 08.03.2016, which is sought to be relied upon by the petitioner, itself demonstrates that the representation of the individual was made only on 17.02.2016. This delay on his part in seeking relief by approaching the appropriate forum and in keeping quiet from 2011 till 2017 is fatal to his cause. We therefore find no grounds to interfere with the order under challenge.

The writ petition is devoid of merit and is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.



SANJAY KUMAR,J

M.GANGA RAO,J

Date:27.11.2018

GJ