

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 4338 of 2017 and
WRIT PETITION (TR) No.430 of 2017

COMMON ORDER:

Since the issue involved in these writ petitions is one and the same, both these writ petitions are heard together and disposed of by this common order.

Heard Sri Mohd.Saleem, learned counsel for the petitioners and Sri Rama Rao, learned Standing Counsel appearing for the 1st respondent.

It is the case of the petitioners that the petitioners in both the cases were initially selected for the posts of Sub-Inspector and Police Constable, respectively, and the respondents vide impugned proceedings dated 15.09.2014 and 29.04.2011, respectively, have cancelled their provisional selection on the ground that criminal cases were pending against and the petitioners; and that the petitioners have suppressed the factum of their involvement in the criminal case.

Learned counsel for the petitioners submits that the respondents have passed the impugned order cancelling the provisional selection of the petitioners without assigning any reasons and without giving any opportunity to the petitioners. He also contends that the issue involved in these writ petitions is squarely covered by the Judgment rendered by this Court in WP.Nos.40717 of 2017 and batch, dated 08.03.2019, wherein this Court was pleased to dispose of the said batch of writ petitions

directing the respondents therein to consider the case of the petitioners in terms of the guidelines framed by the Honourable Supreme Court in **Avtar Singh v. Union of India and others**¹; and that the respondents in the present case also be directed to consider the cases of the petitioners' applications in terms of the guidelines framed by the Honourable Supreme Court in *Avtar Singh's case*.

Learned Standing Counsel appearing for the 1st respondent-Police Recruitment Board has not disputed the above proposition of law.

This Court having considered the rival submissions made by learned counsel on either side is of the considered view that these writ petitions can be disposed of by setting aside the impugned cancellation order of provisional selection of petitioners with a direction to the respondents to consider the cases of the petitioners in terms of the guidelines framed by the Honourable Supreme Court in *Avatar Singh's case* and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, both the writ petitions are allowed. No order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

15.04.2019
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¹ (2016) 8 SCC 471