

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.3558 OF 2020

DATED :27.02.2020

Between :

Dodara Sai Kiran S/o.D.Gyaneshwar,
Aged 24 yrs, Occu : Unemployee,
R/o.H.No.3-1-825/24, Sanjay Gandhi Nagar,
Nimboliadda, Kachiguda, Hyderabad.

..... Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Home Department, Secretariat,
Hyderabad & another.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.3558 OF 2020

ORDER :

Heard learned counsel for the petitioner and learned Standing Counsel appearing for the 2nd respondent.

2. Petitioner claims that he is the local of Hyderabad District. He responded to the recruitment notification dated 31.05.2018 to fill up 16,925 vacancies of Police Constables, Firemen in Fire Service Department and Warders (Male) & (Female) in Prisons and Correctional Services Department. According to petitioner, as per the merit secured by him in the selections conducted by the Telangana State Level Police Recruitment Board (for short 'the Board'), he was found suitable for appointment as Police Constable, Armed Reserve. But he was not deputed for training on the ground that he was shown as Accused No.2 in S.C.No.32 of 2016 on the file of Metropolitan Sessions Judge, Hyderabad.

3. According to learned counsel for the petitioner, petitioner was acquitted in the said criminal case, vide judgment dated 22.12.2016, i.e., much prior to the recruitment notification was issued. In the attestation form, due to oversight he did not mention about his involvement in the criminal case. According to learned counsel, as the petitioner was already acquitted, he was under impression that there is no need to make mention in the attestation form, when a person was already acquitted of the offence. He further submits that the acquittal granted by the Criminal Court was clear. There was no reason for denying him

employment on the only ground that petitioner was involved in a criminal case.

4. According to learned Standing counsel, in all cases, where there is suppression of information about involvement in criminal cases, the Board reviews the case in accordance with the principle laid down in **Avtar Singh Vs Union of India and Others**¹, and according to Telangana State Police (Stipendiary Cadet Trainee) Rules, 1999 notified vide G.O.Ms.No.315 Home (Police-C) Department dated 13.10.1999, and whenever, the Board prima-facie is of the opinion that the explanation is required to be called for, show cause notice would be issued, calling upon the candidate to show cause why his selection should not be cancelled. He further submits that the matter is under consideration and shortly, show cause notice would be issued.

5. In view of the said statement and without entering into the merits, the Writ Petition is disposed of with the following order :

If the Board intends to issue show cause notice, it shall take steps to issue the same, within one week from today, calling upon the petitioner to submit his explanation. On receipt of show cause notice, petitioner shall submit his explanation within one week thereafter, explaining his stand. On receipt of the explanation, if any, the Board shall pass appropriate orders by assigning reasons in support of the decision and communicate the same to the petitioner. If the Board accepts the stand of petitioner that his non-mentioning of involvement in criminal case is not fatal to his appointment, appropriate steps shall be taken for sponsoring him

¹ (2016) 8 SCC 471

to training. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

27th February, 2020
Rds

