

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3810 of 2021**

Rakesh Kumar Verma, Son Of Sitaram Verma Aged About 32 Years R/o Semradih, Police Station - Suhela, District - Balodabazar-Bhatapara (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Public Health Engineering Department, Mahanadi Bhawan, Mantralaya, Nawa Raipur (Chhattisgarh)
2. The Superintending Engineer Public Health Engineering Department, Durg Division, Durg (Chhattisgarh)
3. The Executive Engineer Public Health Engineering, Rajnandgaon Division, District - Rajnandgaon (Chhattisgarh)
4. The Deputy Inspector General Of Police (Secret Conversation) Special Branch, Police Headquarter, Ground Floor, Block No. 1, Atal Nagar, Raipur (Chhattisgarh), District : Raipur, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Goutam Khetrapal, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26/07/2021**

1. The petitioner seems to have come to the Court at the stage where there is an internal correspondence made between the respondent No.3 to respondent No.2 stating that in the absence of a character certificate issued from a competent police authorities, so far as the criminal antecedent of the petitioner is concerned, the services of the petitioner will have to be discontinued or the appointment order will have to be cancelled.

2. The counsel for the petitioner submits that it is a case where the petitioner has been appointed on the post of Hand-pump Technician under the respondents way back in July, 2018. According to the petitioner, at the time of his appointment, when the attestation form was filled, inadvertently he did not disclose the fact that the petitioner in the past i.e. in the year 2014 was implicated in a criminal case and he stood acquitted from the competent Court of law in the said offence.
3. Subsequently, when this fact was known by the employer-respondents, they have issued certain instructions to the petitioner as also have sought character certificate from the police authorities, so far as the petitioner is concerned. However, till date the same has not been received from the police Department and in the absence of receipt of such document, the respondents have now made certain internal correspondences stating that in the absence of a criminal antecedent certificate from the competent police authorities, the appointment of the petitioner would have to be cancelled.
4. This Court at this juncture finds that the order against which the petitioner seems to have approached the Court is too premature stage at this juncture calling for an interference by the Writ Court. It is for the respondent authorities to scrutinize the claim of the petitioner on its own merits taking into consideration the factual matrix as has contended by the petitioner and it is also for the petitioner to approach the concerned police authorities in getting a character certificate from the competent police authorities at the earliest so that the same can be made available to the employer.

Reserving the right of the petitioner to avail those benefits and in case if need so arises to approach the Court again as and when the cause of action arises, the present writ petition at this juncture stands disposed of.

Sd/-
(P. Sam Koshy)
Judge