

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.742 of 2021**

**In**  
**Civil Writ Jurisdiction Case No.9076 of 2017**

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Sonu Kumar Singh Son of Sri Sharada Singh, resident of Village-Dhobahi,  
P.O.-Banni, P.S.-Dhansoin, District-Buxar.

... .. Appellant/s

Versus

1. The Union of India through the Director General, Central Reserve Police Force, Head Quarter, New Delhi.
2. The Director General, Central Reserve Police Force, Head Quarter, New Delhi.
3. The Inspector General, Range Office, Central Reserve Police Force, Patna, Near Ashiyana Digha Road, Rajeevnagar, Patna.
4. The Deputy Inspector General, Range Office, Central Reserve Police Force, Patna, Near Ashiyana Digha Road, Rajeevnagar, Patna.
5. The Commandant Central Reserve Police Force, Block Colony, Latehar, Jharkhand.

... .. Respondent/s

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**Appearance :**

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|------------------------|---|----------------------------------------------------------|
| For the Appellant/s    | : | Mr. Rajesh Kumar Mishra<br>Mr. Basant Kumar, Advocates   |
| For the Union of India | : | Mr. Anand Kumar Ojha, Sr. Advocate<br>Dr. Iti Suman, CGC |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

**and**

**HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA)**

**Date : 16-09-2025**

Heard Mr. Rajesh Kumar Mishra, learned counsel for  
the appellant, Mr. Anand Kumar Ojha, learned Senior counsel for  
the Union of India and assisted by Dr. Iti Suman, learned Central  
Government Counsel.



2. The present appeal is directed against the judgment/order dated 02.12.2021, passed in CWJC No. 9076 of 2017 the Hon'ble writ court after hearing the parties has been pleased to dismiss the writ application.

3. Learned counsel for the appellant submits that the appellant applied for appointment for the post of Constable in the Central Reserve Police Force in the year 2014. Prior to his application in the year 2013 one Janardan Yadav had instituted an F.I.R. against the appellant and other co-accused persons who happens to be the family members of the appellant and the F.I.R. was registered as Dhansoin P.S. Case No. 45 of 2013 under Sections 147, 148, 149, 323, 307, 435, 504 of the Indian Penal Code and Section 27 of the Arms Act. After physical examination, the appellant was selected and appointment letter was issued for the post of CT/Cook Constable on temporary basis. On 07.08.2015, the appellant joined the Central Reserve Police Force as Force No. 155200356 RT/Cook 11<sup>th</sup> Battalion, Central Reserve Police Force.

4. Learned counsel for the appellant further submits that the learned Additional District and Sessions Judge-VI, Buxar in Sessions Trial No. 420 of 2015 has been pleased to acquit all the accused persons including the appellant in Sessions Trial No. 420



of 2015 arising out of Dhansoin P.S. Case No. 45 of 2013. Learned counsel for the appellant submits that the termination order was passed vide letter dated 03.08.2016 under the signature of Respondent No. 5 under Rule 5(1) Central Civil Services (Temporary Service) Rules, 1965. On 07.08.2016, the termination order issued from the office of Commandant with effect from 07.08.2016 and thereafter No Dues Certificate was issued on 07.08.2016. The appellant was finally relieved from the post. The appellant has preferred writ petition challenging the termination order. The aforesaid writ petition bearing C.W.J.C. No. 15331 of 2016 was disposed of vide order dated 02.03.2017 with a direction to the Revisional Authority (Respondent No. 2) to consider the revision application of the appellant expeditiously and preferably within a period of three months. The Revisional Authority has been pleased to dismiss the revision application of the appellant on 24.05.2017 stating therein that there is no merit in the application. Thereafter, the appellant has filed the writ application bearing C.W.J.C. No. 9076 of 2017 challenging the Revisional Order as well as the appellant order along with the original order by which his termination order was passed. Learned counsel for the appellant next contended that prior to termination notice no show cause notice was given which amounts to failure of principle



of natural justice and the impugned termination order was passed ex-parte by violating the terms and conditions of CCS(TS) Rule, 1965.

5. Learned counsel for the respondent-Union of India submits that the appellant was appointed in CRPF and as per existing instructions/guidelines issued, verification roll for character and antecedents of said RT/Cook was forwarded by Group Centre, CRPF, Muzaffarpur to District Magistrate, Buxar vide letter dated 30.01.2016. On receipt of verification report from the concerned Civil Police Authority, verification report was forwarded by District Magistrate, Buxar to Group Centre, CRPF vide letter dated 09.04.2016. The remarks mentioned in the verification report of the SHO, P.S. Dhansoi, Buxar is as “आवेदक का नाम पता सही है इनके विरुद्ध धनसोई थाना काण्ड संख्या 45/13 दिनांक 18.06.13 धारा 147/148/149/323/324/435/504 भा0 द0 सं0 एवं 27 ए0 एक्ट अंकित है जिसमें आरोप पत्र सं0 784/13 दिनांक 31.08.13 समर्पित किया गया है/”.

6. As such, the appellant has concealed the fact while furnishing the information in the verification roll. After receiving the report from the concerned authority, it was established that the appellant has misled the organization by providing incorrect information in his verification roll and he was not found fit to be retained further in service. Learned counsel for the respondent-



Union of India submits that in pursuance of Rule 5(1) of Central Civil Services (Temporary Service) Rules, 1965, the appellant was terminated from service with effect from 07.08.2016. Further submits that in terms of Rule 5(1) of the Central Civil Services (Temporary Service) Rules, 1965, the appellant was entitled to claim a sum equivalent to the amount of his pay plus allowances for the period of notice of the same rates at which he was drawing them immediately before the termination of his service or as the case may be for the period by which such notice falls short of one month. For the better appreciation Rule 5(1) of the Central Civil Services (Temporary Service) Rules, 1965 is quoted hereinbelow:

*“5. Termination of temporary service- (1)(a) The services of a temporary Government Servant shall be liable to termination at any time by a notice in writing given either by the Government Servant to the appointing authority or by the appointing authority to the Government Servant;*

*(b) the period of such notice shall be one month:*

*Provided that the services of any such Government Servant may be terminated forthwith by payment to him of a sum equivalent to the amount of his pay plus allowances for the period of the notice at the same rates at which he was drawing them immediately before the termination of his services, or, as the case may be, for the*



*period by which such notice falls short of one month.*

7. From perusal of the aforesaid, it transpired that the authority is required to pay one month salary plus allowances for the period of notice at the same rates.

8. Learned counsel for the respondent-Union of India submits on instruction that the appellant before termination of service, had been paid net pay for the month of August-2016, Rs. 23351/- on 30.07.2016 and the Union of India has complied the proviso of Section 5(1) of the Central Civil Services (Temporary Service) Rules, 1965. Apart from that the Revisional Authority after due consideration of all the facts has been pleased to dismiss the revision application of the appellant in accordance with law and the appellant has suppressed the material fact and he has misled the respondent-Department while filling up the application form in particularly para 12(i) which suggests that he was not involved in any of the criminal cases which is contrary to the report of the concerned authority as mentioned aforesaid. In the present case, it is admitted fact that the appellant has suppressed the material information before the joining in discipline force (CRPF).



9. In view of the aforesaid, we do not find any illegality and infirmity in the order of the writ Court and no case is made out for interference in the matter.

10. It is, accordingly, dismissed.

**(Sudhir Singh, J)**

**( Rajesh Kumar Verma, J)**

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| AFR/NAFR          | NAFR       |
| CAV DATE          | N.A.       |
| Uploading Date    | 23.09.2025 |
| Transmission Date | N.A.       |

