

02.04.2026
Court No. 652
Item No. 22
sp

WPA 21750 of 2025
With
CAN 1 of 2026
Sanjit Joardar
Vs.
Union of India & Ors.

Mr. Timir Baran Saha.

.... For the petitioner.

Mr. Ashok Prasad,
Ms. Ranjana Chatterjee.

... For the Union of India.

1. The petitioner was appointed with the CRPF on and from August 28, 2023. He joined in service on September 20, 2023.

2. The petitioner has been terminated from service vide letter dated August 31, 2025 for the reason of operation of Rule 5(1) of the Central Civil Services (Temporary Service) Rules, 1965.

3. Against the petitioner, the allegation in a nutshell is that in spite of a criminal case being pending against him, he has not declared the same before entering into service.

4. Mr. Timir Baran Saha, learned advocate for the petitioner on the basis of the documents annexed to the writ petition and the application has submitted that the ground as above is only unfounded and not sustainable, insofar as the criminal proceeding which was pending

at a point of time against the petitioner has culminated into discharge of the petitioner due to want of any evidence much prior to the date of his induction in service. He says that the charge sheet of no evidence was filed against the petitioner in the said criminal case back on October 31, 2022, from which date the petitioner was discharged from criminal proceeding.

5. Hence, according to the petitioner, termination order of the petitioner is only based upon wrong consideration of the materials on record or no consideration at all rendering the same to be perverse and illegal.

6. Taking into consideration the submissions made on behalf of the petitioner as well as the copy of the charge sheet as annexed in the application filed by the petitioner, I find substance in the submissions made on his behalf. Therefore, I find gross error has been committed by the authorities in passing the order dated August 31, 2025 thereby terminating the petitioner's service on the ground as mentioned above. Similarly, the order of review authority dated November, 2025, which has gone in the line of the termination order as above also appears to be based on erroneous or no material at all.

7. In such circumstances, the said orders as above are not sustainable in the eye of law.

8. The instant writ petition is, therefore, allowed directing as follows:

- (i) The impugned order of termination dated August 31, 2025 is hereby set aside.
- (ii) The impugned order of review passed in November, 2025 stands set aside.
- (iii) Let the respondent no. 5 reconsider the petitioner's prayer for immediate resumption of duty, after taking into consideration all the relevant documents he relies on and affording a reasonable opportunity of hearing to him;
- (iv) The said respondent is directed to pass a reasoned order in this regard.
- (v) Let the said exercise as above be completed by the said respondent within a period of 4 weeks from the date of communication of a copy of this order.

9. With the above directions, the instant writ petition along with CAN 1 of 2026 stand disposed of.

10. There shall be no order as to costs.

11. Since no affidavit has been called for, the allegations made in the writ petition are deemed to have been disputed and denied by the respondents.

12. Urgent certified copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)