

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 5602 of 2025

Irfan Ansari son of Mubarak Ansari, resident of Near Masjid, Tetulmuri, 22/12 Chhotanagari, P.O and P.S. Chhotanagari, District- Dhanbad.

... Petitioner(s)

-Versus-

1. Union of India through its Secretary, Department of Atomic Engery (DAe) officiating its office from Nambhkiya Urja Bhavan, Anushakti Nagar, CSM Marg, P.O Mumbai, P.S. Trombay, District Mumbai, State of Maharashtra, PIN- 400094.
2. Nuclear Power Corporation of India Limited a Government of India Enterprise, officiating its work from 1-4 Tarapur, Atomic Power Station 1- 4 Tarapur Maharashtra Site P.O TAPP- 401504, P.O Boisar, District Palghar, Maharashtra, registered office at World Trade Centre, 16th Floor Centre-1, Cuffe Parade, P.O and P.S- Colaba, Mumbai, Maharashtra, 400005.
3. The Chief Managing Director, NPCIL, officiating its work from Anushakti Bhawan CSM Marg, P.O Mumbai, P.S. Trombay, registered office at World Trade Centre, 16th Floor Centre-1, Cuffe Parade, P.O and P.S- Colaba, Mumbai, Maharashtra, 400005.
4. The Deputy Manager (HRM) NPCIL, Tarapur, Maharashtra Site, P.O Taap, P.S. Boisar (WR) District Palghar, State Maharashtra. ... Respondent(s)

CORAM : SRI ANANDA SEN, J.

For the petitioner(s): M/s Rajendra Krishna and Navneet Sahay, Advocates.
For UOI Mr. Sunil Kumar, Advocate.

03/29.10.2025: Heard the parties.

2. By filing this petition, the petitioner has prayed for quashing the order dated 5.3.2025 (Annexure-10), whereby the candidature of the petitioner for the post of Stipendiary Trainee (Scientific Assistant) Category-I (Mechanical) was cancelled due to existence of pending criminal case against the petitioner.

3. Considering the fact that the petitioner has prayed for quashing the order dated 5.3.2025 and the reasons mentioned therein cannot be supplemented by any affidavit and also considering the nature of the order, which I intend to pass, it is not necessary to direct the respondents to file counter affidavit.

4. The admitted fact is that the petitioner applied for the post of Stipendiary Trainee (Scientific Assistant) Category-I (Mechanical) pursuant to the advertisement floated by the respondents sometime in the year 2019 being Advertisement No. TMS/HRM/01/2019. During Police verification, it was found that in the year 2023, the petitioner got involved in a matrimonial dispute, which resulted in lodging an FIR being FIR No. 01/2023 dated 2.1.2023 under Sections 341, 323, 498-A, 354, 504/34 Indian Penal Code. As

the said criminal case was subjudice, a decision was taken and vide impugned letter dated 5.3.2025 it was communicated to the the petitioner that since there are adverse remarks, the candidature of the petitioner for the post of Stipendiary Trainee (Scientific Assistant) Category-I (Mechanical) against the Advertisement No. TMS/HRM/01/2019 is cancelled.

5. Admittedly, the last date of submission of the online application form for the said advertisement was 3rd August, 2019, which is apparent from Annexure-1. Further, from the impugned order, I find that the criminal case was registered against the petitioner on 2.1.2023 under Sections 341, 323, 498-A, 354, 504/34 Indian Penal Code i.e. much after filing of the application and after the last date of filing of the application form. This clearly suggests that as on the last date of filing of the application, there was no criminal case pending against the petitioner. Thus, it cannot be said that the petitioner has suppressed any material fact in relation to any criminal case, as no criminal case was pending.

6. Now the question, which falls for consideration is as to whether the impugned order dated 5.3.2025 can be allowed to sustain in view of the fact that the petitioner has been subsequently acquitted in the criminal case.

7. Admittedly, the petitioner was involved in a matrimonial dispute, which resulted this case. The petitioner faced the trial and ultimately he was acquitted by judgment dated 11.6.2025. Further from the judgment, which is at Annexure-11, it is quite clear that there was some minor matrimonial discord between the husband and the wife, which gave rise to this case and ultimately the same was settled between the husband and the wife. Settlement of matrimonial discord should always be appreciated. Impact of the matrimonial discord should not be allowed to haunt the parties, if the dispute is amicably resolved between the parties. Effort has to be made to minimize or nullify the effect, if any, of a matrimonial dispute after the same is resolved.

8. Considering the aforesaid facts and what has been held above, I am inclined to dispose of this writ petition by setting aside the impugned order dated 05.03.2025 and remand the matter to the respondent No. 3 to reconsider the decision and pass an appropriate order within four weeks from the date of receipt of a copy of this order, taking into consideration the acquittal of the petitioner and also the resolution of the dispute.

9. Accordingly, this petition stands **disposed of**.