

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8969 OF 2010

Anil Kumar Pandey .. Appellant(s)
Versus
Union of India & Ors. .. Respondent(s)

WITH C.A. No. 8970/2010

O R D E R

No one appears for the appellant even on second call. However, the learned counsel appearing on behalf of the Union of India has painstakingly taken us through the record. We are, therefore, disposing of the matters on merits.

The appellant before us was appointed as a Constable on probation on 31st October, 1998. When appointed, he had to fill out a form in which he has to disclose as to whether he had ever been arrested or prosecuted. When signing the said form the appellant said "No" to both. It was further discovered that an F.I.R. had been lodged in which he had been named when he was a minor after which his name was subsequently dropped.

A show cause notice was issued on 21st January, 2000 as to why the appellant's services should not be

terminated on the ground that he had not disclosed that an F.I.R. had been filed. After receiving a reply, the authorities framed the necessary charges and by an order dated 11th April, 2000 the appellant's services were terminated by tendering one month's pay in lieu of one month's notice. This order was the subject matter of challenge by way of a writ petition filed in the High Court of Allahabad. The learned Single Judge by the judgment dated 5th October, 2005 dismissed the appellant's writ petition stating that a person has to be truthful while filling an attestation form and giving a false answer reflects on the character of a person. The Division Bench by the impugned judgment dated 22nd November, 2011 upheld the order of the learned Single Judge. Having perused both orders, we are of the view that there is nothing whatsoever to persuade us to interfere with the impugned order under Article 136 of the Constitution of India.

The appeals are dismissed accordingly.

.....J.
[ROHINTON FALI NARIMAN]

.....J.
[SANJAY KISHAN KAUL]

NEW DELHI,
JULY 11, 2017.

ITEM NO.110

COURT NO.12

SECTION III-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 8969/2010

ANIL KUMAR PANDEY

Appellant(s)

VERSUS

UNION OF INDIA THROUGH SECRETARY & ORS.

Respondent(s)

(FOR ON IA 92428/2012)

WITH

C.A. No. 8970/2010 (III-A)

(FOR ON IA 92482/2012)

Date : 11-07-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Appellant(s) Yash Pal Dhingra, AOR (NP)

For Respondent(s) Ms. Kiran Bhardwaj, Adv.
Ms. Alka Aggarwal, Adv.
Shreekant N. Terdal, AOR

UPON hearing the counsel the Court made the following
O R D E R

The appeals are dismissed in terms of the signed order.

(USHA RANI BHARDWAJ)
AR CUM PS

(MADHU NARULA)
BRANCH OFFICER

Signed order is placed on the file.

