

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/1093/2019

HYDERABAD, this the 24th day of December, 2019

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Admn. Member



K.V. Maheswara Reddy, IPS,
S/o. Sri Kokkanti Venkatramireddy,
Aged about 28 years,
C/o. Flat No.206, Vishnu Enclave,
Engineer's Colony, Yella Reddy Guda,
Hyderabad - 500 073.

... Applicant


(By Advocate: Mr. K. Sudhaker Reddy)

Vs.

1. Union of India rep. by its
Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi.
2. The Director,
Sardar Vallabhai Patel
National Police Academy,
Govt. of India,
Ministry of Home Affairs,
Hyderabad - 500 052.

... Respondents

(By Advocate: Mr. V. Vinod Kumar, Sr. CGSC)

ORDER (ORAL)**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**


2. The applicant was selected to Indian Police Service of 2019 batch. He was also issued offer of appointment on 02.12.2019, and on that basis, he was imparted training at Mussoorie. He is due to undergo training at Sardar Vallabhai Patel Police Academy. Through an order dated 12.12.2019, the 1st respondent suspended the offer of appointment dated 02.12.2019 till further orders. It was stated to be on the basis of the FIR No.734/2019 lodged against the applicant. This O.A. is filed, challenging the order of suspension.

3. The applicant contends that the allegations made against him in the F.I.R. are totally baseless and frivolous, and mere registration thereof ought not to have resulted in the suspension. He further submits that his wife forwarded the copy of the FIR to the Director at Mussoorie but no action ensued at that place. The applicant contends that the impugned order does not indicate the provision under which the power was exercised and, according to him, the question of suspension would arise, if only he became the full Member of the Service.

4. The respondents filed reply statement, opposing the O.A. It is stated that once the FIR was registered, the action was initiated in accordance with the IPS (Probation) Rules 1954, for short - Rules. They further submitted that it is not at all in the interest of administration to continue the offer of appointment of the applicant since he is facing serious allegations.

5. We heard Sri K. Sudhaker Reddy, learned counsel for the applicant and Sri V. Vinod Kumar, learned Senior Standing Counsel appearing for the respondents.



6. It is a matter of record that the applicant was selected for IPS of 2019 on the basis of his performance. He has also been imparted the basic training at Mussoorie. It appears that the applicant married one Ms. Bhavana, who was his classmate in B.Tech., without the consent of his parents and all the same, the marital relationship continued. From a reading of the complaint submitted by Ms. Bhavana, it appears that there was some difference of opinion between the two and as of now, she is more apprehensive about the applicant than of any specific and concrete acts or omissions. The personal matters of this nature, are not uncommon now a days. Much would depend on the type of counselling, which the elders would give to the couple. Unfortunately, the marital relationships between the highly educated persons are becoming more and more brittle and, if any example is needed, the statistics of Family Courts at Bangalore and other Metropolitan cities would provide the one.

7. Unless there was any serious misconduct in relation to the training of the applicant, severe action is not warranted at all. A perusal of Rule 11 of the Rules, discloses that it is mostly about the maintenance of discipline and ensuring commitment on the part of trainees, that action is contemplated. The personal affairs of the individuals hardly constitute the basis, unless they have resulted in the commission of any serious crime.

8. We are of the view the training of the applicant can be continued, even while the department can take various aspects at the time of issuing order of appointment to the applicant. Not only from the point of view of the applicant but also from the point of view of the department, such steps are necessary. The hard work on the part of the individual and the efforts on the part of the Government to train an IPS officer, are indeed phenomenal. It is not a thing, which can occur at the wishing of it. A future protector of law cannot be subjected to such treatment on the basis of a complaint pertaining to the family matters.

9. We, therefore, allow the O.A. and set aside the impugned order. We, however, direct that it shall be open to the Respondents No.1 & 2 to take the various aspects pertaining to the applicant at the time of issuing order of appointment to him. It is needless to mention that the applicant shall be put to all the trainings that are prescribed for the service. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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