

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.14112 of 2013

Date of decision: 03.12.2015

Ex. EHC Sube Singh

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. R.S. Tacoria, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

DEEPAK SIBAL, J. (Oral)

Through the present petition, challenge is made to order dated 23.08.2012 (Annexure P-11) through which, the petitioner was ordered to be dismissed from service for having submitted a fake Matriculation certificate as also to the order dated 15.03.2013 (Annexure P-12) through which the petitioner's appeal against the earlier mentioned punishment order was dismissed.

At the time of arguments, learned counsel for the petitioner submits that he gives up his challenge to the aforementioned impugned orders after accepting that the Matriculation certificate submitted by him was fake.

However, learned counsel for the petitioner has drawn my attention to instructions dated 29.10.1985 issued by the Director General of Police, Haryana, wherein all the District Superintendents of Police and other District Authorities in the different police Districts

have been directed to take back all constables who have put in reasonable amount of service with the Haryana Police and who were discharged/dismissed on account of fake and bogus Matriculation certificates provided that they produce valid certificate showing to have passed their Middle standard examination from recognized institutions. Relying on the aforesaid instructions, learned counsel for the petitioner states that the petitioner having passed his Middle examination from a recognized institution deserves to be taken back.

Learned State counsel states that the certificate showing that the petitioner has passed the Middle examination from a recognized institution has seen the light of the day for the first time through the replication filed in the present case as the same was never produced earlier before respondent-Authorities.

In view of the aforesaid facts, I deem it just and appropriate to dispose of the writ petition by granting liberty to the petitioner to make a representation to the Competent Authority for consideration of his case as per instructions dated 29.10.1985. If any representation is made, the same would be considered and decided by passing a speaking order after granting opportunity of hearing to the petitioner expeditiously but not later than six months from the date of receipt of such representation.

Needless to add that in case, final decision on the aforesaid representation of the petitioner is adverse to his rights he would be at liberty to challenge the same in accordance with law.

The writ petition stands disposed of in the above terms

(Deepak Sibal)
Judge

03.12.2015

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