

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

CWP No.18336 of 2015

Date of Decision :1.9.2015

Jagir Singh

....Petitioner

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present: Mr.Surinder Mohan Sharma, Advocate
for the petitioner.

.....

MAHESH GROVER.J.

The petitioner impugns the order Annexure P-8 by which his services have been terminated. Upon his entering into service he was required to furnish an affidavit that there was no case pending against him. The petitioner furnished this affidavit on 21.1.2014 stating that he had no case/challan pending against him in Haryana or elsewhere. The petitioner gained employment on this declaration, whereafter it was discovered that there was a criminal case registered against the petitioner vide FIR No.30 dated 25.5.2008 under Sections 323, 325, 34 IPC

The petitioner sought information from the respondents that he be given copy of the affidavit that he had furnished and which was being used against him as charge of

false declaration. The copy was given to him and the petitioner disowned the same by saying that it was got typed from a typist, who on his own drafted the affidavit without incorporating the instructions given by the petitioner.

This is the very argument which the petitioner now raised before this court to question the impugned order.

On due consideration, I am of the view that such a plea cannot be accepted. The petitioner had signed the affidavit. He is an educated person, and therefore would be able to read the contents of the affidavit. Besides, even if the best case of the petitioner is accepted, it would be very difficult to ascertain this question based solely on a disputed fact as to whether the petitioner knew the contents of the affidavit that he had submitted or the typist had committed an error.

Consequently, the writ petition, which raised the above questions, would necessarily have to be held to be devoid of any merit, particularly when the settled law would be that a person submitting an affidavit under his signatures would be making the solemn declaration and thus responsible for its consequences.

No merit.

Dismissed.

1.9.2015
dss

(MAHESH GROVER)
JUDGE