

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

* * * * *

RSA No. 3215 of 2012 (O&M)

Date of decision : 14.5.2015

* * * * *

Baldev Singh

.....Appellant

Versus

Union of India and others

.....Respondents

* * * * *

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

* * * * *

Present: Mr. Vinay Puri, Advocate for the appellant.

* * * * *

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the digest?*

RITU BAHRI, J

The plaintiff-appellant (hereinafter referred to as 'the plaintiff') has come up in regular second appeal against the judgment dated 8.12.2010 passed by the Civil Judge (Junior Division), Jalandhar, whereby the suit of the plaintiff was dismissed and judgment dated 11.2.2012 passed by the Additional District Judge, Jalandhar whereby an appeal against the judgment and decree of the trial Court was dismissed.

Pursuant to an advertisement published in a daily newspaper by the defendants, the plaintiff had applied for the post of MTD along with 13 other candidates. All the candidates were called for interview on 18.12.2001 and a test was conducted on the same

day. After taking the driving test of 13 candidates, only four candidates were kept for final selection and their medical test was conducted. It is further averred that out of said four selected candidates only the plaintiff and one Avtar Singh were kept for consideration for appointment. On enquiry driving licence of Avtar Singh was found fictitious and he was delisted from the list and the name of the plaintiff was at Sr. No.1 in the merit list for the post of MTD. But the defendants did not appoint him to the post of MTD and hence he filed the instant suit.

Upon notice, the defendants appeared and contested the suit by filing joint written statement . It was submitted that the plaintiff had played fraud with the defendants by placing forged and fabricated driving licence and the report of District Transport Office, Amritsar reveals that the licence No. 8855 was not issued in the name of Baldev Singh son of Blawinder Singh.

After going through the evidence led by the parties and hearing counsel for the parties, trial Court dismissed the suit of the plaintiff. On appeal filed by the plaintiff against the judgment of the trial Court, the same was also dismissed by the appellate Court.

After perusing the case file and hearing the arguments at length, I am of the opinion that the suit of the plaintiff has been rightly dismissed by the courts below as the plaintiff-appellant had no right to be appointed on the post once his driving licence was found to be fake and false.

In view of the above, there is no illegality or infirmity in

the judgments passed by the Courts below. No substantial question of law arises for consideration in this regular second appeal. Hence the same is dismissed.

14.5.2015
ritu

(RITU BAHRI)
JUDGE