

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1112 of 2001

Date of Decision:10.11.2016

Veena Kumari alias Veena Thakur

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present:- Ms. Alka Chatrath, Advocate,
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

RAJIV NARAIN RAINA, J.

The matrimonial dispute has led to termination of the services of the petitioner. She was a caste Hindu married to a Dalit. She got the job on the basis of reservation meant for Scheduled Caste on a category certificate obtained by her husband for her use. When the marriage soured, he sneaked, which led to the petitioner's termination. The law abhors appointment of a general category candidate on a forged caste certificate which has been held to be commission of a constitutional fraud for which a person consciously participating in the commission of fraud is open to criminal prosecution . This would depend on an investigation as to whether the husband procured the caste certificate for his wife from the designated authority by making a false declaration and procuring a false report from the Revenue Authorities as to the caste status of the petitioner Veena Kumari. The role of the Tehsildar would also be open to investigation. Let a

copy of this order be sent to the Director General of Police, Haryana to determine whether any action is required to be taken against the petitioner's husband for procuring or inducing the officer of Government to issue a false caste certificate.

For all other purposes, the petition stands dismissed.

(RAJIV NARAIN RAINA)
JUDGE

10.11.2016

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No