

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

***CWP No.13375 of 2016 (O&M)
Date of decision : 12.07.2016***

Soniya

... Petitioner

Vs.

The State of Haryana & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Jagbir Malik, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

Challenge in the present petition is to a charge-sheet dated 08.09.2015 at Annexure P-25 served upon the petitioner.

Suffice it to notice that the petitioner was duly selected and appointed as a J.B.T. Teacher. A challenge had been led to the selection process itself and on the ground that there had been large scale impersonation inasmuch as certain other persons had sat in the examination pertaining to STET. The impugned charge-sheet would reveal that there is even a report from the Forensic Science Laboratory, Madhuban, Karnal wherein comparison had been drawn that sample thumb impressions/ signatures of the candidates who had appeared in the test as also of the present petitioner.

It is the pleaded case of the petitioner herself that the report of the F.S.L. was furnished in pursuance to the directions issued by this Court in CWP No.3 of 2011 titled as Parveen Kumari and others Versus State of Haryana and others in which challenge to the entire selection process to the post of J.B.T. had been set up. It is also the pleaded case of the petitioner that a reply to the charge-sheet has already been filed.

During the course of arguments, Mr. Jagbir Malik, learned counsel for the petitioner was confronted that identical challenge was also to a charge-sheet by a similarly situated selectee and appointee, namely, Suman Devi by filing CWP No.7786 of 2016 but such writ petition was dismissed by a co-ordinate Bench vide order dated 24.05.2016. Such factual position is not disputed by the counsel.

In view of the above, the present writ petition is dismissed. At this stage, counsel for the petitioner makes a submission that he be granted liberty to raise a challenge to the inquiry proceedings as and when the same culminate in passing of a final order and in the eventuality of the same being detrimental to the petitioner. In regard to such submission, it is observed that it would always be open to the petitioner to raise a challenge to an adverse order being passed in pursuance to the inquiry proceedings on all grounds that may be available strictly in accordance with law.

Petition is dismissed.

12.07.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**