

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.260 of 2016

Date of Decision:- 21.03.2016

Surekha

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

RITU BAHRI, J. (Oral)

Petitioner is seeking directions for quashing the charge-sheet dated 11.09.2015 (Annexure P-20) on the ground that FSL report has not been taken into consideration while issuing the charge-sheet.

Pursuant to an advertisement, the petitioner had applied for School Teachers Eligibility Test 2009. After participation in the test, the result was declared and the petitioner was declared pass by securing 229.75 marks out of 400 marks. Thereafter, she had participated in selection for the post of JBT Teachers and after being selected she has been issued appointment letter on 09.12.2010. Thereafter, on a petition bearing CWP No.22995 of 2010 titled Kavita Kumari and others Vs. State of Haryana and others, this Court has directed the respondents to conduct the enquiry/verification of finger prints/thumb impressions/photographs of all

the selected candidates. During the process of said enquiry, the thumb impressions of petitioner were taken and sent for verification to FSL Madhuban and the inquiry report (Annexure P-19) submitted by respondent No.7, which reads as under: -

“Opinion No.2199, Roll No. 1180073.

“Inter-se examination of signatures in the red enclosed parts marked Q-2199, Q-2199/1, R-2199, R-2199/1 and S-2199, S-2199/1 reveals that these signatures do not show inter-se consistency among them”.

The possibility that the signatures marked Q-2199, Q-2199/1, R-2199, R-2199/1 as well as S-2199, S-2199/1, have been written by more than one person, cannot be ruled out.”

Pursuant to inquiry report (Annexure P-19), a charge-sheet dated 11.09.2015 (Annexure P-20) has now been issued to the petitioner. Petitioner has placed on record a charge-sheet dated 09.09.2015 (Annexure P-21) of another employee Balraj Singh, JBT Teacher, along with FSL report. As per the FSL report, the person who wrote red enclosed signatures did not tally with the signatures, which were in dispute.

After going through the FSL report(s) of the petitioner (Annexure P-19) and another of Balraj Singh (Annexure P-21), the charge-sheet cannot be quashed at the initial stage itself. The petitioner shall file his reply to the charge-sheet and the department should be able to conclude its findings on the charge-sheet after following the due procedure. At this stage, the present petition is not maintainable, being premature and the same is hereby dismissed as such.

March 21, 2016
naresh.k

(**RITU BAHRI**)
JUDGE