

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.6498 of 2016

Date of decision: 6.4.2016

Sartaj Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. R.K.Chopra, Senior Advocate with
Mr. Pawan Kumar, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Admittedly the petitioner has been terminated on account of having bogus B. Ed. degree from Magadh University, Bodh Gaya (Bihar). In the departmental enquiry, report has been submitted by Mr. Navtej Sharma, Principal, Government Girls Senior Secondary School, Machhiwara (Ludhiana) who had been deputed to visit Magadh University to verify the veracity of the said certificate and accordingly it was found forged.

Senior counsel has submitted that procedure followed for enquiry is not in accordance with law.

A perusal of the certificate dated 8.6.2000 (Annexure P/2) issued by the said University also does not inspire confidence. This Court is of the opinion that disputed questions of fact will arise as to whether the certificate was issued by the said University or not and jurisdiction under Article 226 of the Constitution of India cannot be exercised where disputed questions of fact arises as per settled law.

Accordingly, the present writ petition is dismissed with liberty to approach the Court of competent jurisdiction for agitating his rights.

April 06, 2016
Pka

(G.S.SANDHAWALIA)
Judge