

**RA No.123 of 2016 in
CWP No.24472 of 2014**

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**RA No.123 of 2016(O&M) in
CWP No.24472 of 2014
Date of Decision: 01.02.2017**

Shashi Bala

...Applicant/petitioner

Vs.

State of Punjab & others

...Respondent

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

Present: Mr. S.S. Grewal, Advocate
for the applicant/petitioner.

Ms. Lavanya Paul, AAG. Punjab.

RAJIV NARAIN RAINA, J. (Oral)

RA No.123 of 2016

The review application is allowed and the order in review is recalled. The case is listed as its original number to be decided on merits.

While passing this order I may note that Mr. S.S. Grewal learned counsel appearing for the review applicant has produced in Court in the original the Backward Caste Certificate issued to the petitioner by the Tehsildar-cum-Executive Magistrate, Rajpura, District Patiala, certifying she belongs to Bhatt caste which falls in the list of Backward Classes. She happened to be a Bhatt from District Yamuna Nagar in Haryana but states while appearing in person alongwith her counsel that her husband is also a Bhatt and she has domicile in Punjab after her marriage. On the face of this Caste Certificate produced is a noting in hand dated 18.12.2013 which

records the following:-

“As per Certificate issued by Haryana this candidate originally belongs to Haryana State”.

On asking whether she knew whose signature it was, she recalls that it was Mr. K.S. Gill. She further informs that Mr. K.S. Gill was a retired Government employee from the Education Department who was deputed by the Punjab Government to scrutinize documents of the candidates in the selection process, which means the Punjab Government deputed a retired employee to perform very important work of scrutinizing caste certificates to determine eligibility.

As to what bearing this document Mark 'A' has on the rejection of the candidature of the petitioner is debatable. The document was not available on file when I dismissed the petition. I feel this is sufficient ground to review the order.

The original is returned and photocopy is taken on record as Mark 'A'. A photocopy has been given to the learned counsel for the State to examine its probative worth on the prayers made in the petition.

List the main case as per roster.

(RAJIV NARAIN RAINA)
JUDGE

01.02.2017
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Whether speaking/reasoned *Yes*

Whether reportable *No*