

**220 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.3222 of 2015.

Date of Decision: 26.11.2018.

Raj Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. C.L. Sharma, Advocate,
for the petitioner.

Ms. Bhawna Gupta, DAG Punjab.

JITENDRA CHAUHAN.J.(ORAL)

The petitioner seeks quashing of order dated 23.02.2001 (Annexure P-8) passed by respondent No.4 vide which the petitioner had been dismissed from service and order dated 07.01.2004 (Annexure P-11) vide which order of dismissal was upheld by respondent No.3. The petitioner also seeks reinstatement in service along with all the consequential benefits.

The petitioner was appointed as Temporary Constable in Punjab Armed Police by IGP, PAP, Jalandhar Cantt. vide letter dated 12.04.1992. Thereafter, vide order dated 31.08.2000 passed by Commandant 75th, DSP Surjit Singh was directed to conduct departmental inquiry against the petitioner for submitting forged academic certificate of 10th class. On inquiry, the certificate furnished by the petitioner was found to be forged. Thereafter, the petitioner was

charge-sheeted and vide impugned order dated 23.02.2001 (Annexure P-8) passed by respondent No.4, the petitioner was dismissed from service. FIR No. 50 dated 05.04.2001, under Sections 420, 465, 468, 471, 120-B IPC was registered against the petitioner in Police Station Jalandhar Cantt. Against the order dated 23.02.2001 (Annexure P-8), an appeal was filed by the petitioner before respondent No.2 which was dismissed vide order dated 07.01.2004 (Annexure P-11). It is contended that the petitioner has been acquitted in the criminal case by the learned trial Court, vide judgment dated 08.06.2010 (Annexure P-3), therefore, the impugned orders are liable to be set aside and the petitioner deserves to be re-instated in service.

On the other hand, it is submitted that the petitioner had produced fake/bogus school leaving certificate dated 16.01.1992 of 10th standard at the time of his appointment as Temporary Constable. The petitioner has been dismissed from service after adopting proper procedure.

Heard.

As per the record, the school in question has been co-education throughout. The certificate furnished by the petitioner at the time of induction in service reflects that he joined the school on 01.04.1980 in 9th standard. The said certificate was issued in the month of April whereas the school was upgraded in the month of September and the admissions were made in 9th standard only in the subsequent

month i.e. October. As per the school register, there was no boy and only six girls had been admitted in 9th standard at the relevant point of time and there is no evidence on record that the petitioner had ever attended the school as claimed by him in the certificate dated 16.01.1992 which is further clear from the report dated 24.11.2018 filed in pursuance to the order dated 21.11.2018 passed by this Court, Mark 'A'. Consequently, the present civil writ petition is dismissed.

26.11.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No