

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

CWP-791-2014 (O&M)
Date of decision : 16.11.2018

Kuldip Singh

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vikas Singh, Advocate,
for Mr. B.S. Jaswal, Advocate,
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

JITENDRA CHAUHAN, J.

By way of the instant writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has sought issuance of a writ in the nature of Mandamus, directing the respondents to allow the petitioner to join as Fellow Teacher.

It is the case of the petitioner that vide advertisement dated 05.09.2007, the respondent-Department had invited applications for filling up of 9998 posts of Teaching Fellow. In response thereto, the petitioner submitted his application on 18.06.2008. The verification of the documents was also done.

It is contended that the result of selection in question was declared in the month of February, 2009, however, the name of the

petitioner was not reflected in the list of selected candidates (Annexure P-5). However, petitioner subsequently came to learn that he, in fact, had been selected against the post in question and appointment letter had also been issued on 13.02.2009 (Annexure P-2). However, the same was never dispatched to the petitioner due to some *mala fide* on the part of the respondents. On enquiry made by the petitioner, respondent No.3 fairly accepted the factual position and also provided a photocopy of the appointment letter issued on 13.02.2009. However, no proof of having dispatched the said appointment letter was made available to the petitioner. Ultimately, the petitioner served a legal notice dated 21.10.2013 (Annexure P-3) upon the respondents to which it was replied that the experience certificate submitted by the petitioner was found bogus on verification and hence he was not appointed.

It is submitted that the petitioner never attached any experience certificate along with his application and apparently, the record of selection of the petitioner has been bungled.

On the other hand, learned State counsel states that after the preparation of the selection list and upon verification of the documents which remained unverified, it was found that the experience certificate attached by the petitioner was bogus. Therefore, he has been rightly been denied appointment.

Heard.

A perusal of the report of verification of experience certificate (Annexure R-1) reveals that the experience certificate furnished by the

petitioner along with the application was found to be a bogus document. On 06.09.2018, this Court observed as under:-

“The petitioner along with application furnished experience certificate (Annexure R-2) issued by Sant Bhagwangiri Academy (Dehriwala) which on verification was found to be fake as reflected in Annexure R-1.

In the circumstances, the petitioner is directed to place on record the necessary documents with regard to receipt of salary, the school register maintained by him and any other record that advance the case of the petitioner.

Post again on 21.09.2018.”

Order dated 06.09.2018 has not been complied with and no record in support of the assertions raised by the petitioner has been placed on record. Once, the certificate in question has been found to be fake, the respondent-authorities have every right to cancel the appointment.

In view of the discussion, the instant petition being devoid of any merits, is hereby dismissed.

Dismissed.

16.11.2018
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No