

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

**CWP No. 25360 of 2018
Date of decision : 21.11.2018**

Dr. Jasmer

.....Petitioner

versus

Lal Rajpat Rai University of Veterinary and Animal Sciences & anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Sardavinder Goyal, Advocate
for the petitioner.**

RITU BAHRI, J. (Oral)

The petitioner is seeking quashing of order dated 18.01.2018 whereby respondent No. 2 was appointed to the post of Scientist (Veterinary Gynecology and Obstetrics) against advertisement No. 2/2017 (Annexure P-2) as at the time of interview respondent No. 2 was working as Veterinary Officer in Government Veterinary Hospital, Gothra, District Jhunjhuna, Rajasthan being in-service candidate and thus, respondent No. 2 concealed the material fact from the University as she has not produced No Objection Certificate from the previous employer.

Learned counsel for the petitioner has referred to application form of respondent No. 2 wherein she has not disclosed her previous service and further no objection certificate has also not been taken by her.

Learned counsel is relying upon judgment of Hon'ble the Supreme Court of India in a case of *K.N. Gopalan vs. The Managing Director and another, 1979 (2) SLR 408* and judgment of Hon'ble the Supreme Court of India in a case of *Jainendra Singh vs. State of U.P. Tr. Prin. Sec. Home and others, 2012 (AIR) SCW 4347* to contend that fraudulently obtained orders of

appointment could be recalled by the employer.

In this regard, the petitioner has made complaint dated 26.04.2018 and reminder dated 16.08.2018 but no action has been taken till date.

Keeping in view above fact, the present writ petition is disposed of by giving a direction to respondent No. 1 to decide the complaint dated 26.04.2018 (Annexure P-6) and reminder dated 16.08.2018 (Annexure P-8) of the petitioner and pass appropriate orders in accordance with law, within a period of four months from the date of receipt of certified copy of this order.

November 21, 2018
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No