

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

**CWP 415/2018
Date of decision:23.04.2018.**

Balwinder Kaur

.....Petitioner

v.

State of Punjab and others

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.D.R.Sharma,Advocate for the petitioner

Jaswant Singh,J,(Oral).

Petitioner-Balwinder Kaur was working on probation as Learner Binder with Government Press,SAS Nagar. During her probation period a complaint was received that the experience certificate submitted by her alongwith her application to the Subordinate Service Selection Board was fake. The complaint was enquired into by holding a regular departmental enquiry. During enquiry it was found that the Printing Press which issued said experience certificate to the petitioner never existed at the premises mentioned in the experience certificate. On submission of the enquiry report,petitioner was also afforded opportunity of personal hearing and thereafter her services were terminated vide order dated 1.9.2015 (P-12). The appeal and review petition filed by her against said punishment order P-12 were also dismissed vide impugned orders dated P-14 and P-16.

In the instant petition, petitioner is seeking quashing of the charge sheet, enquiry report, punishment order and the orders passed in appeal and review.

At the time of hearing, learned counsel for the petitioner has not been able to make out any case for invoking the writ jurisdiction of this Court.

As already noticed above, upon receipt of complaint of submission of fake certificate by the petitioner for getting job, the same was enquired into by holding a departmental enquiry in accordance with rules and after following the principles of natural justice. The petitioner was given full opportunity to lead her evidence but she could not rebut the evidence led by the department that the Printing Press which allegedly issued the experience certificate never existed at the premises mentioned therein. The said findings of fact recorded by the Enquiry Officer have been duly affirmed in appeal and review. It is a well settled principle of law that this Court in exercise of jurisdiction under Article 226 of the Constitution does not sit as a Court of appeal over the findings of fact recorded and affirmed in the *quasi* judicial proceedings unless they are shown to be perverse. Learned counsel is unable to point out any arbitrariness in the process followed in the departmental proceedings which may require interference by this Court. Therefore, the proper course having been adopted before terminating her services on the ground of submission of fake experience certificate, no case for interference is made out.

Dismissed.

23.04.2018
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No