

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

**CWP No.15500 of 2019 (O&M)
Date of Decision.16.07.2019**

Parmod Saini

...Petitioner

Vs

State of Haryana and others

..Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Ram Kumar Saini, Advocate
for the petitioner.

-:-

AMIT RAWAL J. (ORAL)

Notice of motion.

Ms. Shruti Jain, DAG, Haryana accepts notice for respondents.

Prayer in writ petition is for quashing action of respondents denying appointment to petitioner and for issuance of mandamus directing respondents to consider claim of petitioner for appointment as Constable as he has already been selected in respect of process initiated for filling up posts of Group 'C'.

Mr. Saini submits that last date for submission of application form was May, 2018 whereas FIR under various Sections including Section 307 and 452 was registered on 26.08.2018, thus, there was no occasion for petitioner to conceal or withhold information from the department. Not only challan has been filed but charges have been framed and case is slated for prosecution evidence. Since petitioner has not been convicted so far, there is no impediment for the Department to allow him to join.

Per contra, Ms. Shruti Jain Goyal, DAG, Haryana

submits that petitioner is stated to have issued one legal notice, which has not been pleaded in writ petition i.e. dated 30.05.2019 and same has already been adjudicated upon vide order dated 11.06.2019 and communicated to petitioner but petitioner has not apprised his counsel about the same. Rule 12.18 (3) (b) of Punjab Police Rules, 1934 clearly envisage that where charges have been framed against a candidate for offences involving more turpitude or punishment with imprisonment for three years or more shall not be considered for appointment.

I have heard learned counsel for parties, appraised paper book and order dated 11.06.2019 handed over to this Court, endorsed to Director General of Police and petitioner vide endorsement No.9404-05 dated 11.06.2019. Petitioner had not been fair and honest in not apprising his counsel regarding legal notice dated 30.05.2019. Such conduct of petitioner should not get scot free from judicial scrutiny of this Court when an attempt to play hide and seek has been made.

In case anything survives is to challenge order dated 11.06.2019 but not in the manner and mode as noticed above. Writ petition is wholly preposterous and fallacious, thus, dismissed with costs of ₹10,000/- to be paid to Bar Association of this Court.

(AMIT RAWAL)
JUDGE

July 16, 2019
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No