

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-2980-2017

Date of Decision:-16.09.2019.

Iqbal Singh

.....Petitioner

Versus

Punjab and Haryana High Court through its Registrar, Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. K.P.S. Sandhu, Advocate for the petitioner.

Ms. Anu Pal, DAG, Punjab.

Mr. Munish Kapila, Advocate for respondent Nos.1 and 2

Mr. Surinder Thakur, Advocate for respondent No.4.

RAJIV NARAIN RAINA, J. (Oral)

1. The 4th respondent-Satish Gill was appointed as Process Server in Sessions Division, Hoshiarpur, produced an experience certificate of working as a Gram Rozgar Sewak in the MNREGA Scheme run by the office of the Block Development and Panchayat Officer, Adampur. The certificate confirmed that he had worked for the last four years. It was in the nature of a character certificate. He produced his certificate in support of his application for the post of Process Server. It was later confirmed through request made under RTI to the petitioner that in fact the period of employment is restricted to 1 ½ year and 4 months. Information supplied is that since duty was being performed in the field, no attendance was marked,

therefore, the Block Development and Panchayat Officer, Adampur states that the attendance record is not available. The allegation that the 4th respondent produced a fake and forged experience certificate is belied by the information supplied by the Public Information Officer under the RTI Act, being the Block Development and Panchayat Officer, Adampur himself.

2. The issue of experience certificate would have been in the forefront if the experience was the part of the criteria. However, experience was not a part of the criteria for selection of Process Server and the learned District and Sessions Judge would respond that the experience certificate of 4th respondent was not looked into in the selection process. Accordingly, the experience certificate can have no bearing on the merits of the selection based on the criteria adopted. The appointment of the 4th respondent cannot be stated to be beyond the criteria as far as selection on merits is concerned. There is no substantial averment worthy of acceptance which may put a serious doubt on the selection and appointment of the 4th respondent.

3. Accordingly, the petition is dismissed.

(RAJIV NARAIN RAINA)
JUDGE

September 16, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.