

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 22434 of 2020

Date of Decision: 11.8.2020

Gurwinder Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Hoshiar Singh, Advocate
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is being taken up for hearing through video conferencing.

This is a petition under Section 482 Cr.P.C. for issuance of directions to respondents No. 2 to 4 to look into the matter and take action against respondent No. 5 who has been allegedly recruited himself in the Army by preparing forged documents.

Learned counsel for the petitioner submits that respondent No. 5 has got the job in Army by preparing bogus school certificates of different date of birth and he had intentionally prepared the forged documents with different name and date of birth just to grab the job in the Army. Learned counsel further submits that the petitioner has moved a representation dated 15.3.2020 (Annexure P-8) with regard to the fraud committed by respondent No. 5 but no action has been taken so far.

I have heard the learned counsel for the petitioner.

In the present case, the petitioner has alleged that respondent No. 5 had prepared forged documents with different name and date of birth and has applied for the appointment with respondents No. 2 and 4 by playing fraud.

The petitioner is not a 'person aggrieved' having *locus standi* to challenge the appointment of respondent No. 5. It is a settled provision of law that it is for the aggrieved person to assail the legality or correctness of the action and that third party does not have *locus standi* to canvass the legality or correctness of the action. However, so far as the genuineness of the documents are concerned, it is for the department to determine the authenticity of the said documents.

Keeping in view the above, I do not find any merit in the present petition and the same is dismissed with costs of Rs. 10,000/- to be paid by the petitioner with the Poor Patient Welfare Fund, PGIMER, Chandigarh.

(HARNARESH SINGH GILL)
JUDGE

August 11, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No