

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

CWP No.12053 of 2020 (O&M)
Date of Decision:- 18.8.2020

Ram Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Arav Gupta, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.

1. The petitioner seeks quashing of order dated 6.2.2020 (Annexure P-21) vide which respondent No. 4 while disposing of legal notice dated 4.8.2019 has turned down the claim of the petitioner for appointment as Patwari.
2. Pursuant to an advertisement having been issued by the State of Punjab, the petitioner applied for the post of Revenue Patwari in the year 2016. The petitioner was successful in the recruitment process and his candidature was recommended for the post of Patwari. Respondent No. 3 vide order dated 13.2.2017 (Annexure P-5) directed the petitioner to appear for training in Patwar Circle Lutera Kalan, District Jalandhar and was also attached for field training for Patwari Revenue Circle Bhambo Tar for six months and ultimately he was issued a certificate in respect of having successfully completed the field training.

3. On 12.2.2017, one FIR i.e. FIR No. 7 dated 12.2.2017 under Sections 409/420/120-B/13-2 of Prevention of Corruption Act, 1988 at Police Station Talwara, District Hoshiarpur came to be registered against revenue officials including the petitioner and a large number of other persons. However, it transpires that the petitioner at the time of verification of antecedents had made a statement on 15.12.2018 before the police to the effect that there was no criminal complaint or any other FIR registered against him whereas the name of the petitioner specifically figured in FIR No. 7 dated 12.2.2017 under Sections 409/420/120-B/13-2 of Prevention of Corruption Act, 1988 at Police Station Talwara, District Hoshiarpur. Since the petitioner was not issued an appointment letter, he approached this Court by way of filing CWP No.34495 of 2019 (Annexure P-20), which was disposed of while directing the respondents to consider the legal notice dated 4.8.2019.
4. In compliance of the aforesaid directions, the legal notice has been considered by the District Collector, Hoshiarpur and the claim of the petitioner for appointment as Patwari has been turned down mainly on the ground that the petitioner had made an intentional concealment of pendency of FIR against him at the time of police verification, although he was specifically named therein.
5. The learned counsel for the petitioner has submitted that a vague FIR had been registered against him and a large number of other persons and infact a cancellation report had already been prepared, which was still pending and the same was likely to be accepted and that in these circumstances, the petitioner deserves to have been appointed as Revenue Patwari.
6. I have considered the aforesaid submission.

7. The petitioner could not furnish any valid reason as to why he had concealed the factum of registration of FIR against him at the time of police verification. Such like conduct does not behove a government official, particularly revenue official, who has to have a large amount of public dealing wherein stakes are very high. The fact that subsequently some cancellation report has been filed would not take the act out of mischief of concealment of a material fact.
8. In these circumstances, this Court does not find any infirmity in the impugned order dated 6.2.2020 vide which the learned District Collector, Hoshiapur has rejected the request of the petitioner for appointment as Revenue Patwari.
9. The petition is sans merit and is hereby dismissed.

18.8.2020

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No