

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

204/8

Civil Writ Petition No.13016 of 2014

Date of Decision: January 23rd, 2020

Balbir Kaur

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. R.K. Arora, Advocate
for the petitioner.

Mr. Charanpreet Singh, Assistant Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court challenging the order dated 18.11.2013 (Annexure P-16), whereby the claim of the petitioner for her reinstatement pursuant to her termination order dated 22.10.2009 (Annexure P-9), has been declined.

2. Petitioner, apart from this, has challenged the termination order.

3. Perusal of the record indicates that a Division Bench of this Court in *LPA No.239 of 2011* titled as *State of Punjab and others Versus Davinder Kaur*, decided on 04.05.2011 (Annexure P-14), directed the constitution of a committee for verifying the correctness or otherwise of the experience certificates submitted by the candidates, who had sought appointment to the post of Teaching Fellow (ETT/JBT) as it was asserted by the respondent-department that certificates submitted by some of the candidates were found to be fake/not genuine.

4. Petitioner had submitted four experience certificates but the dispute was with regard to the certificate dated 06.04.2000 (Annexure P-3), where she had worked from 01.04.1996 to 30.04.1999 in Guru Gobind

Singh Public School, Guru Ki Dhab (Matta), District Faridkot. The committee, which has been constituted, has submitted a report, wherein it has been found that the petitioner had indeed worked with the management from 01.04.1996 to 31.03.1998 but the recognition of the school had come into force with effect from 01.04.1998 and, therefore, the experience certificate of the petitioner could not be taken into consideration.

5. Counsel for the State, on instructions from Mr. Harwinder Singh, Senior Assistant, informs that 3 marks have been assigned to her, which have to be deducted. He, therefore, informs the Court that petitioner had obtained 65.803 marks on merit out of which even if these 3 marks are deducted, petitioner would still be higher in merit than the last selected and appointed General Category candidate, who had obtained 62.709 marks.

6. In view of the above, the present writ petition is allowed.

7. Impugned order dated 18.11.2013 (Annexure P-16) and the order dated 22.10.2009 (Annexure P-9) passed by the respondents are hereby quashed.

8. Petitioner is ordered to be reinstated in service forthwith with all consequential benefits.

9. The consequential benefits be released within a period of three months from today.

January 23rd, 2020
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No