

123 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-23553-2021
Date of Decision: 22.11.2021

SURENDER KUMAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Raman Chawla, Advocate
for the petitioner.

Mr. Saurabh Mohunta, D.A.G., Haryana.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Petition herein is for issuance of a writ in the nature of *certiorari* setting aside/quashing order dated 08.03.2021 (Annexure P-7) passed by respondent No.2 and order dated 18.12.2019 (Annexure P-6) passed by respondent No.3, vide which, the request of the petitioner to join the duty has been declined as he was terminated from the post of Driver in Haryana Roadways on the ground of finding his matriculation certificate as a fake document.

2. Learned counsel for the petitioner submits that upon issuance of a show cause notice to the petitioner on 15.11.2018, alleging that his caste certificate and matriculation certificate are not genuine, he appeared before the competent authority and proved his case but subsequently, his contract was terminated vide order dated 07.12.2018 (Annexure P4) passed by the General Manager, Haryana State Transport, Bhiwani.

3. Learned State counsel, on advance service, joins proceedings and submits that the said issue has been decided by passing a well-reasoned speaking order dated 18.12.2019 (Annexure P-6), stating therein, that the certificate issued by the School Board from where the petitioner has passed Class X, is not genuine and hence, his contract was terminated.

4. Heard.

5. Dispute herein is with regard to the genuineness of a certificate, which vide impugned order has been held to be fake. Given the disputed nature of facts involved herein, the same cannot be adjudicated under the extra-ordinary writ jurisdiction of this Court.

6. Dismissed with liberty to the petitioner to seek his alternative remedy as may be available to him and if, so advised.

November 22, 2021
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes

Whether reportable: No