

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 13051 of 2021

Date of Decision: 21.02.2022

Constable Amandeep Singh

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Naveen Sharma, Advocate
for the petitioner(s).

Mr. Ayush Sarna, Assistant Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

1. By invoking the certiorari jurisdiction, the order by which the petitioner has been suspended from the service, is sought to be set aside.

2. On reading of the impugned order, it is evident that the allegation against the petitioner is that in order to seek employment, he submitted a fake matriculation certificate in support of his educational qualification. An FIR No. 89 dated 01.06.2021, under Section 420, 465, 467, 468 and 471 IPC, at Police Station Civil Lines, Bathinda, was registered against the petitioner.

3. The learned counsel representing the petitioner contends that the authority should not have ordered the petitioner's suspension from service till the criminal trial is over.

4. In the considered view of the Court, the suspension of an employee during the pendency of the Disciplinary proceedings particularly

when the allegations are that the petitioner, while seeking employment, relied upon a fake matriculation certificate, cannot be said to be arbitrary.

5. Keeping in view of the above, no ground is made out to issue the writ. As per the order of suspension, the disciplinary authority has already appointed an Inquiry Officer. Hence, the writ petition is disposed of with the observation that let the disciplinary inquiry be completed within a period of four months, from today. If the petitioner fails to co-operate or seek unnecessary adjournments, the Inquiry Officer shall be at liberty to proceed with the matter in his absence.

(Anil Kshetarpal)
Judge

February 21, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No