

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

CWP-14471-2017

Date of decision: 29.04.2022

Jitender Singh

...Petitioner

versus

Public Works Department (Building And Roads) Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Lalit Rishi, Advocate,
For the petitioner.

Mr. Sharan Sethi, Additional A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondent to issue appointment letter for the post of Junior Engineer (civil) in Public Works Department (Buildings and Roads), Haryana advertised vide Advertisement No.2/2011 dated 06.12.2011 (Annexure P-1).

2. Petitioner applied for the post of Junior Engineer (civil) pursuant to an advertisement dated 06.12.2011 issued by Haryana Staff Selection Commission, Panchkula. Despite being at 3rd position in merit vide result contained at Annexure P-3 and having supplied all necessary documents as were asked for by the Commission, petitioner has not been given an appointment. Hence, the instant petition.

3. I have heard learned counsel for the parties and gone through the case file.

4. In the return filed by the respondents, the following stand has been taken in para 18 of preliminary submissions, which is reproduced herein below:-

“18. That in reply to para No.18 of the writ petition, it is stated that the respondent office has nothing to do with the receipt of petitioner decree/diploma as stated in this para, in 2016 which was qualified in during 2009 to June, 2011 at the address of his uncle and with courier receipts etc. but petitioner has failed to submit his original decree and intermediate examination. Moreover, the verification made by respondent office of the diploma/deGREE examination of CMJ University, Meghalaya is not forthcoming being its office are not in existence and all the record has been sealed by CID, Shillong and civil writ is pending in Hon’ble High Court, Shillong regarding fraud committed by Sh. Jha, Vice Chancellor of CMJ University, details of which is given in Preliminary Submissions, which depict a clear picture that the documents of petitioner are not genuine as he has not submitted the original marksheets of diploma of CMJ University, Meghalaya so far in spite of repeated references made to him as given in Preliminary Submissions, which may kindly be reiterated in reply to this Para. A newspaper cutting published in the Amar Ujala, Chandigarh, letter of Governor of Meghalaya to CMJ University Meghalaya etc. in this regard for fraud done by CMJ University is also attached herewith as Annexure R-18 (colly).”

- 5. The above said stand remains uncontroverted as neither replication nor any affidavit has been filed. In any case, ex facie disputed questions of facts, having triable issues, are involved which cannot be adjudicated under extra ordinary writ jurisdiction.
- 6. In the premise, no further grounds are made out to interfere.
- 7. Dismissed.

(ARUN MONGA)
JUDGE

April 29, 2022
vandana

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