

211-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22544-2017
Date of decision: 22.11.2022

GURPREET SINGH

...Petitioner

VERSUS

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jivesh Malik, Advocate for
Mr. Hitesh Malik, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A. G., Punjab.

JAISHREE THAKUR, J. (Oral)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of certiorari for quashing order dated 07.09.2017 (Annexure P-4) passed by respondent No.3, whereby the services of the petitioner herein have been terminated on the ground that the BCA certificate produced by the petitioner at the time of his enrolment in the year 2012, has been found to be not issued by a recognized University.

Learned counsel for the petitioner would contend that the BCA certificate of the petitioner has now been found to be valid and he has been taken back in service and faced with this, he does not press the instant writ petition, however, would pray for consequential benefits.

It is submitted that the petitioner was appointed as Constable on 18.06.2012, dismissed from service vide impugned order dated 07.09.2017 (Annexure P-4) and recently stands reinstated in service with effect from 21.11.2022. It is further submitted that in the interregnum, the petitioner has lost out on his seniority for no fault of his.

Learned State counsel, on instructions, does not dispute the factual position.

I have heard learned counsel for the parties and have also perused the pleadings of the case.

I find that since the BCA certificate furnished by the petitioner herein has been found to be in order, his dismissal from service was not justified and, therefore, his reinstatement would be with all consequential benefits and his seniority restored.

Let the entire exercise be done, within a period of three months from the date of receipt of the certified copy of this order, in accordance with law.

Consequently, the instant writ petition is disposed of in aforesaid terms.

22.11.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No