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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-12669-1998 (O&M)
Date of Decision:02.12.2023

DALWINDER SINGH

.....Petitioner

V/s.

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. G.P.S. Bal, Advocate
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The petitioner has preferred this Writ Petition for issuance of a Writ in the nature of *certiorari* for quashing order dated 07.07.1998 whereby the case of the petitioner for appointment as Constable has been rejected and for issuance of a Writ in the nature of *mandamus* for directing respondents to appoint the petitioner as Constable.

2. Leaned counsel for the respondents states that by efflux of time this Writ Petition has become otiose as the appointment claimed by the petitioner in this Writ Petition pertains to the year 1994.

3. It is an admitted position that an FIR was registered against the petitioner on 23.08.1994 under Section 61 (1) (c) of the Punjab Excise Act, 1914 against the petitioner at Police Station Fatehgarh Churian, District Gurdaspur and the petitioner was later on acquitted in the said case.

4. While this Court notices that the petitioner was duly selected and at the time of character verification, he was disallowed to join, such

action was not in consonance with law as the petitioner had been acquitted in the criminal case. Therefore, his character cannot be said to be doubtful. However, no relief can be granted to the petitioner at this stage as the petitioner cannot be practically allowed to join as a Constable after a period of 28 years.

5. In view of the aforesaid, the Writ Petition is dismissed.
6. All the pending applications in this Writ Petition stand disposed of accordingly.

December 2, 2023

[SANJEEV PRAKASH SHARMA]
JUDGE

Ess Kay

Whether speaking / reasoned	:	Yes	/	No
Whether Reportable	:	Yes	/	No