

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.9668 of 2018 (O&M)
Date of decision: 20.04.2023

Anubhav Taheem

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amar Vivek, Advocate and
Mr. Sai Anukaran, Advocate,
for the petitioner.

Mr. D.K.Singal, Addl.A.G., Punjab

Mr. Pritam Singh Saini, Advocate
for respondent no.3.

Mr. Abhishek Goyal, Advocate
for respondent no.4

ANIL KSHETARPAL, J(Oral)

1. The petitioner while praying for the issuance of a writ of certiorari, in substance challenges the selection of respondent no.3 and 4. He also prays for the issuance of a writ in the nature of mandamus to direct the respondents to appoint him as Workshop Superintendent.

2. On 08.08.2022, the following order was passed:-

“It transpires that despite specific averments made in para no.9 of the writ petition, there is nothing on record to substantiate that experience certificates of private respondents i.e. No.3 and 4 were verified by the Commission or the appointing authority at any point of time.

In view of the above, Additional Chief Secretary,

Department of Technical Education is directed to verify the genuineness of experience certificates produced by both the above respondents and submit a report before the date fixed.

Posted on 29.11.2022.”

3. Today, a report of the Committee constituted for the purpose of verifying the correctness of the experience certificate submitted by the private respondents, has been produced.

4. The learned State counsel, on instructions from Sh. Manoj Kumar, Lecturer (Chemistry), submits that as per the report, the genuineness of the certificates of experience submitted by the private respondents could not be established. He submits that the department will accordingly proceed with the matter.

5. On the other hand, the learned counsel representing the private respondents submit that the experience certificates submitted by the private respondents are genuine and they should be granted an opportunity to prove that fact.

6. On the other hand, the learned counsel representing the petitioner submits that the selection of the petitioner has been delayed on account of false experience certificates submitted by the private respondents and there should not be any further delay.

7. Keeping in view the aforesaid facts, the writ petition is disposed of while directing the official respondents to take a final decision within a period of one month, from today. If the official respondents take a decision to select/appoint the petitioner, he shall be entitled to the notional benefits, if any available. The private respondents shall be at liberty to establish the correctness of their experience certificates before the appropriate forum.

8. All the pending miscellaneous applications, if any, are also disposed of.

April 20, 2023
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(ANIL KSHETARPAL)
JUDGE

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