

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

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**CWP-24371 of 2022 (O&M)
Date of decision: 17.01.2023**

Mukesh Kumar

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.K.Arora, Advocate
for the petitioner.

Mr. Gurpreet Singh, Addl. A.G., Punjab

ANIL KSHETARPAL, J(Oral)

The petitioner prays for the issuance of a writ in the nature of certiorari to quash the order of his removal from service which, in appeal, was upheld. In substance, it has been found that the petitioner belongs to Baghla (Arora community), however, he secured admission in ETT Training in District Institute of Educational and Training , Ferozepur on the basis of a fake scheduled caste certificate. Once this fact came to the notice of the department, a charge sheet was issued to the petitioner, but no reply was filed. The Enquiry officer was appointed but the petitioner did not join the enquiry. On the basis of the report made by the Enquiry Officer, the services of the petitioner were dispensed with. Thereafter, the petitioner filed a civil suit which was dismissed by the trial court as well as the First Appellate Court. However, in the Regular Second Appeal the disciplinary authority was directed to continue with the enquiry. It has been noticed in the impugned order that the petitioner admits that he belongs to the general category.

The learned counsel representing the petitioner submits that the petitioner has upgraded his educational qualification to BA B.Ed, therefore, he is qualified to continue to work as a ETT Teacher.

This court has considered the submissions of the learned counsel representing the petitioner.

The petitioner has secured appointment on the basis of ETT Training. The admission in the aforesaid course was secured by the petitioner by producing a fake scheduled caste certificate. In such circumstances, even if now the petitioner has passed his BA, B.Ed. Examination, this court in exercise of extra ordinary jurisdiction does not find it appropriate to interfere with the impugned orders.

Hence, dismissed.

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

January 17, 2023
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(ANIL KSHETARPAL)
JUDGE

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