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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-26136-2023

Date of Decision:21.11.2023

MANJIT SINGH

..... Petitioner

Versus

STATE OF PUNJAB AND ORS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Ms. Ramandeep Kaur, Advocate for
Ms. Himani Kapila, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of Enquiry Report dated nil (Annexure P-6) as well as show cause notice dated 09.10.2023 (Annexure P-7).

2. The petitioner passed 10+2 exam conducted by Board of Secondary Education, Madhya Bharat, Shanti Niketan Satyadev Nagar, Gandhi Nagar, Gwalior. The said Board was recognized and affiliated with Council of Board School Education. The petitioner in November' 2016 came to be provisionally selected as Constable in District Police Cadre. The respondent in May' 2022 initiated departmental enquiry alleging that 10+2 certificate submitted by petitioner is fake. The respondent sent certificate of the petitioner to aforesaid Board for verification. The respondent has issued show cause notice dated 09.10.2023 (Annexure P-7) calling upon the petitioner to show cause as

to why his service should not be terminated.

3. Learned counsel for the petitioner submits that Board of Secondary Education, Madhya Bharat, Shanti Niketan Satyadev Nagar, Gandhi Nagar, Gwalior vide communication dated 11.09.2023 (Annexure P-9) has confirmed veracity of 10+2 certificate, thus, respondent has no authority to terminate the petitioner from service.

4. Mr. Aman Dhir, DAG, Punjab who on advance notice is present in Court submits that till date no final order has been passed and Competent Authority would pass order after considering communication received from aforesaid Board including letter dated 11.09.2023 (Annexure P-9). The petitioner is further at liberty to raise all pleas before the Competent authority.

5. Faced with this, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to raise all pleas before the Competent Authority.

6. In the wake of statements of both sides, the present petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

21.11.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>