

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

115

CWP-179-2024
Date of decision: 20.02.2024

HARSIMRAN KAURPETITIONER

Vs.

STATE OF PUNJAB AND OTHERS ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Aminder Singh, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226 of the Constitution of India is seeking setting aside of order dated 26.05.2023 (Annexure P-9) whereby her candidature has been rejected on the ground of discrepancy in the experience certificate.
2. The petitioner pursuant to an advertisement applied for the post of Assistant Financial Officer. He cleared written test, however, his experience certificate was rejected. The petitioner preferred CWP-27125 of 2022 before this Court seeking setting aside of selection of ineligible candidates and direction to respondents to select her. The writ petition was disposed of vide order dated 05.12.2022.
3. Pursuant to the order passed by this Court, the respondent re-considered experience certificate of the petitioner. The candidature of the petitioner has been rejected on the ground that there is discrepancy in the UDIN based Chartered Accountant Certificate certifying cash payment of salary from 01.04.2018 to 31.12.2020.

4. On the direction of this Court, the respondent has verified experience certificates of different candidates. In the case of petitioner, the respondent has recorded statement of Chairman of the Institute where petitioner was working as well as colleague employees who have confirmed service of the petitioner as an Accountant of the said organization.

5. Mr. Aman Dhir, DAG, Punjab submits that as per directions of this Court, the Competent Authority has made exercise of verification of experience certificates issued by private entities. In the case of the petitioner, it is factually correct that Chairman of the Institute has confirmed his signature on the certificate and other employees have confirmed that petitioner during the period in question served with the said organization.

6. The respondent has rejected claim of the petitioner on the ground of technical deficiency in the Chartered Accountant Certificate. The respondent, at the initial stage, did not attempt to verify experience certificate issued by institute as well as certificate issued by Chartered Accountant. The statement of Chartered Accountant as well as statements of employees/owners of Institute would have brought the truth on record. The State has now carried out preliminary inquiry which principally confirms experience certificate of the petitioner.

7. In the wake of above discussion and findings, the present petition stands disposed of with a direction to respondents to reconsider case of the petitioner. The needful shall be done within 3 months from today.

20.02.2024
anju

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No