



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

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CWP-20640-2021
Date of decision: 16.12.2024

Gulab Singh ...Petitioner
Versus
Union of India and others ...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Indresh Goel, Sr Panel Counsel for the respondents-UOI.

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition is for directing the respondents to appoint the petitioner on the post of Animal Transport.
2. As is apparent from the written statement filed on behalf of respondent Nos.1 to 3 that there is an FIR, which was registered against the petitioner for producing false medical certificates that was not controverted by filing any replication, the relevant paras whereof read thus:

“4.(iv) Thereafter, Petitioner submitted a medical fitness certificate issued by Dr. Sandeep Kumar, Specialist (Eye), Senior Medical Officer, Civil Hospital, Bhiwani (Haryana) on 23.11.2020 to the Nodal Office, Northern Ftr HQ ITBP, Dehradun. Accordingly, the appeal of the petitioner was considered. A complaint was received from Mr. Mandeep through Dte. Gen. ITBP that Roll No. 1919153453 Sanjay Kumar was unfit due to distance vision 6/9, 6/12 and the Civil Hospital, Bhiwani refused to stamp the certificate. On the basis of the complaint, to ascertain the genuineness of the medical fitness certificate submitted by Roll No. 1919153453 Sanjay Kumar, the same was sent to the Civil Surgeon, Civil Hospital Bhiwani. In reply, R.M.O, Civil Hospital, Bhiwani, intimated that on inquiry on the medical certificate of Mr. Sanjay Kumar S/o Sh. Jaibir Singh, it is found that neither signature affixed in the certificate is of Dr. Sandeep, Medical Officer nor the said Dr. Sandeep, Senior Medical Officer/Eye Surgeon is posted in the Hospital/Institute. On the basis of above report the medical fitness certificate shown issued from Civil Hospital, Bhiwani, submitted by other candidates were also scrutinized and it was found that 05 other candidates have also obtained medical fitness certificate from Civil Hospital, Bhiwani (Haryana).



(v) In view of the aforementioned, the medical fitness certificate of the petitioner herein was sent to the Civil Hospital, Bhiwani to verify its authenticity. The DMS, Civil Hospital, Bhiwani, intimated that, the medical fitness certificate was not issued by Dr. Sandeep his signature (Annexure R-1). Dr. Sandeep, M.O, Civil Hospital, Bhiwani has also certified that neither the Medical Fitness Certificate of the petitioner was issued by him, nor has he attested his photograph or signed his fitness certificate (Annexure R-2). On the basis of the inquiry report received from the Civil Hospital, Bhiwani an FIR has been lodged against the petitioner at Police Station, Basant Bihar, Dehradun (UKD) (Annexure R-3) and the candidature of the petitioner has been cancelled. SHO, Police Station, Basant Bihar, Dehradun (UKD) vide his letter dated 31.01.2022 has intimated that Notice has been issued to Gulab Singh, petitioner under section 41(A), IPC and Charge Sheet No. 148/21 has been filed before the Hon’ble Court (Annexure R-6).

5. That a bare perusal of the averments made in the petition clearly shows that the petitioners on one hand has concealed the material facts and on the other hand has twisted the true facts with the view of projecting shabby picture of the answering respondent.

6. The Petitioner tried to sneak into the Force by resorting to a fraudulent/criminal action of procuring and submitting fake/fraudulent/bogus medical fitness certificate and as such his candidature is liable to be rejected at threshold itself.”

3. In view of the above, the present petition is hereby dismissed.

(AMAN CHAUDHARY)
JUDGE

16.12.2024
Hemant

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