

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CWP-510-2016 (O&M)
Decided on :01.05.2024

SURENDER SINGH

.PETITIONER

Versus

STATE OF HARYANA AND OTHERS

. . . RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Jangjit Singh Dahiya, Advocate for the petitioner.

Ms. Vibha Tewari, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the challenge is to the order dated 10.07.2015 (Annexure P-8), by which the services of the petitioner on the post of Heavy Vehicle Driver have been terminated.
2. It may be noticed that the petitioner applied for the post of Heavy Vehicle Driver in pursuant to the advertisement No. 1/2012 (Annexure P-1) and he competed for the post in question and had appended his matriculation certificate issued by Board of Higher Secondary Education, Delhi. The petitioner was selected and appointed on the post in question vide appointment letter dated 09.01.2014 (Annexure P-2). Thereafter, it transpires that not only the petitioner but certain other employees had also appended

their matriculation certificate issued by the said institution i.e. “Board of Higher Secondary Education, Delhi” and upon enquiry, it was found that the said institution is a fake institution.

3. Not only the services of the petitioner but also of other Drivers who also obtained their matriculation certificate from the said institution i.e. Board of Higher Secondary Education, Delhi were terminated by the department concerned. Similar termination order was challenged by the similarly situated employees by filing the various writ petitions in this Court.

4. Similarly controversy has come up for consideration before the Co-ordinate Bench of this Court in **CWP No. 15204 of 2015 titled as ‘Desh Raj v. State of Haryana and others, decided on 22.04.2016,** wherein it has been held that the matriculation certificate issued by Board of Higher Secondary Education, Delhi is a fake certificate and the said writ petition was dismissed on 22.04.2016. Against the said judgment, LPA has been filed by the aggrieved employees.

5. Thereafter, the other writ petition being **CWP No. 907 of 2015 titled as Mahavir Singh and others v. State of Haryana and others, CWP-14956-2015 titled as Kala v. State of Haryana and others, CWP No. 14957 of 2015 titled as Uday Bhan v. State of Haryana and others and CWP No. 9117 of 2016 titled as Rajbir v. State of Haryana and others** were filed by the similarly situated employees against the termination of their services, who were also given appointment on the basis of matriculation certificate issued by Board of Higher Secondary Education, Delhi. All these writ petition were dismissed by the Co-ordinate Bench of this Court vide a common order dated 24.05.2016 by relying upon the judgment passed in **Desh Raj’s case (Supra).** Thereafter, LPA against the said judgment dated

24.05.2016 was filed being **LPA No. 1204 of 2016 titled as Mahavir Singh and others v. State of Haryana and others** and the said LPA has also been dismissed by the Division Bench of this Court on 15.07.2016. .

6. Learned counsel for the respondents argues that once, the issue has already been decided by the Co-ordinate Bench of this Court while passing order in **Mahavir Singh's case (Supra)**, which judgment has already been upheld by the Division Bench in the LPA No. 1204 of 2016, the present petition be also dismissed.

7. Learned counsel for the petitioners has not been able to rebut the fact that the similar issue as involved in the present petition has already been decided and **similar order of termination qua the similarly situated employees as petitioner has already been upheld not only by the single Bench but also by the Division Bench of this Court.**

8. Keeping in view the above facts and circumstances, the present petition is also dismissed in terms of the order passed by the Co-ordinate bench of this Court in **CWP No. 907 of 2015 titled as Mahavir Singh and others v. State of Haryana and others, decided on 24.05.2016.**

9. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

01.05.2024

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No