

2025:PHHC:045609



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

114

**CWP-35020-2024 (O&M).
Date of Decision: 03.04.2025.**

SANDEEP CHHOKAR

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Roopak Bansal, Advocate,
for the petitioner.

Mr. Tapan Kumar, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been filed for seeking quashing of order dated 10.10.2024 (Annexure P-12) passed by respondent No.2 whereby the candidature of the petitioner has been rejected.

Learned counsel appearing on behalf of the petitioner inter alia contends that he had submitted an experience certificate issued by M/s Mohan Lal Contractor, Village & Post Office, Damla, District Yamuna Nagar, for various works undertaken by him at Karnal town during the period from 09.06.2015 to 20.06.2017 as a Site Engineer. The candidature of the petitioner

2025:PHHC:045609



was, however, rejected on the ground that the experience certificate submitted by him did not inspire any confidence since no other ancillary document in support of the said claim such as any proof of payment of salary and the nature of duties performed by him had been attached by the petitioner.

Learned counsel for the petitioner contends that let the claim raised by the petitioner with respect to his experience certificate (Annexure P-6) obtained from M/s Mohan Lal Contractor, Village & Post Office, Damla, District Yamuna Nagar, issued vide Ref. No.02 dated 27.06.2017 be got inquired into and in case the same is found to be an invalid document obtained by deceitful means, he is ready to subject himself to any such orders, including initiation of criminal proceedings against him, as this Court may deem fit.

Counsel for the respondent State, however, points out that the petitioner would nonetheless still be not eligible since the certification is not in accordance with the explanation put forth in the advertisement.

Be that as it may, it has first become important for this Court to ascertain at this juncture whether the claim of petitioner is on the strength of valid documents or not.

Accordingly, before proceeding further any further in the matter, Sh. Y. Puran Kumar, IPS, IGP, Haryana Police Academy, Madhuban, Karnal is requested to inquire into the experience certificate furnished by the petitioner before this Court pertaining to his service from 09.06.2015 to 20.06.2017.

The same should also reflect the mode of payment and in the event of any cash payment by the Contractor, the revenue receipt(s) countersigned by

2025:PHHC:045609



the petitioner for the respective dates. The aspect as regards the tower location during the aforesaid period of works be also got verified.

The record of the works undertaken as well as the returns filed by the M/s Mohan Lal Contractor pertaining to the financial years 2014-15 to 2017-18 are accordingly ordered to be immediately seized.

Counsel for the petitioner has no objection to the appointment of Local Commissioner by this Court to seize the entire record pertaining to the aforesaid financial years to be handed over to the Inquiry Officer. He further submits that in the event any record is not handed over by the Contractor to the Local Commissioner, the petitioner be not granted any indulgence or concession for the same and the consequences as noticed above may be initiated against him.

Hence, the entire record pertaining to the sites at which the petitioner worked; the nature of the job performed by him; the revenue receipts with respect to the payment made; the returns filed by the Contractor during the aforesaid financial years reflecting the payment of salary to the petitioner; the muster roll prepared by the contractor during the said period as well as other proofs of engagement of the petitioner herein be handed over by the Contractor to the Local Commissioner. After obtaining the same, a photocopy of the said record shall be handed over to the Contractor by the Local Commissioner under her initials.

It is further made clear that in the event of the certificate being issued by the Govt. Contractor being found forged, proceedings shall also be

2025:PHHC:045609



initiated against the said Contractor for abetting and facilitating fraudulent transaction by the petitioner.

Accordingly, Ms. Nikita Singh, Advocate, (P-3666-2024, Mobile No.9646599242) who is present in the Court, is appointed as a Local Commissioner. The fee of the Local Commissioner is assessed at Rs.33,000/-. An additional sum of Rs.10,000/- shall also be paid to the Local Commissioner towards the misc. expenses. The above said fee shall be paid to the Local Commissioner by the petitioner.

The Local Commissioner shall visit the office of M/s Mohan Lal Contractor, Village & Post Office, Damla, District Yamuna Nagar, during the course of the day as mentioned in the certificate (Annexure P-6).

After seizing the record, the Local Commissioner shall hand over the said record to Sh. Y. Puran Kumar, IPS, IGP, Haryana Police Academy, Madhuban, Karnal.

The Station House Officer concerned, is further directed to provide requisite assistance to the Local Commissioner for sealing and seizing of the record.

The report be furnished by the Inspector General of Police, Haryana Police Academy, Madhuban, Karnal within a period of 03 months from today.

2025:PHHC:045609



List on 17.07.2025 for further consideration.

April 03, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

At this stage, i.e. during the after lunch session, before the order could be handed over to the Local Commissioner for ensuring compliance, learned counsel appearing on behalf of the petitioner contends that the petitioner is not ready and willing to transfer the fee assessed by this Court to the Local Commissioner and thus has expressed his disinclination for an inquiry to be conducted into the claim raised by him.

In view of the aforesaid statement, he fairly concedes that the petitioner would no more have a subsisting right to pursue the present writ petition. Hence, noticing the conscious non-compliance of the order by the petitioner and his refusal to pay the fee of the Local Commissioner, despite a specific undertaking to that effect during the first half of the day, the instant writ petition is dismissed.

Nonetheless, this Court is being regularly approached by mischievous litigants/candidates who are pressing claims for seeking public appointment on the strength of documents which are obtained through mischievous/fraudulent ways and thus taking away the rightful entitlement of the meritorious candidates. Such an adventurism on the part of the candidates,

2025:PHHC:045609



which is on a steep rise, needs to be curbed. This would thus call for an action by the Court as well as the authorities.

Under the given circumstances, while reiterating the requirement of the Local Commissioner to take seizure of the record of the Contractor and investigation to be conducted by the Inspector General of Police, Haryana Police Academy, Madhuban, it is directed that the requisite fee shall be paid by the State Government to the Local Commissioner.

In the event of the inquiry being concluded against the petitioner as well as the Contractor, appropriate befitting action shall be taken against them.

To come up on 17.07.2025 for compliance and further consideration.

April 03, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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