IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.M………OF 2012 IN

C.W.P. NO. 3 of 2011

Parveen kumari & ors ………..Petitioners

Versus

State of Haryana & ors **…………**Respondents

**Application u/s 151 c p c for direction to respondent No.3**

**to issue a duplicate certificate of Haryana teachers’ eligibility**

**test examination to the Applicant as the original certificate is**

**burnt due to fire.**

RESPECTFULLY SHOWETH,

1. That the instant civil miscellaneous application is being filed by applicant (non petitioner, non respondent) in above mentioned writ petition which is pending for 11.12.2012 in this Hon’ble court. This Hon’ble court was pleased to pass the following order on 4-1-2011in above writ petition vide which the entire record was sealed. The applicant is directly affected by this order dated 4-1-2011which is reproduced as under “CWP no.3 of 2011

Present: - Mr. Jasbir Mor, Advocate for the petitioner

The petitioner contends that there have been numerous instances of impersonation in the examination in question and some of the irregularities were also brought to the notice of the respondents who failed to verify the same by comparing the signatures /Thumb impressions of the persons who had appeared as against the thumb impression appearing in the application forms. Further contends that this procedure was adopted by the respondents to eliminate the

chances of such irregularities. On the strength of this contention, learned counsel further contents that in view of the fact that the complaints have not been redressed and thumb impressions have not been got compared, the entire exercise carried out by the respondents is tainted.

Issue notice of motion for 28-1-2011

To test the bona fide of the petitioner, they are directed the deposit as sum of Rs.1 lakh with the registrar of this court with in a period of 2 weeks from today. Notice of motion to be issued by this court shall be subject to such a deposit

In the mean time the entire record pertaining to the selection shall be sealed forthwith, deputy commissioner Bhiwani shall ensure that the such exercise is carried out under his supervision and directions of this court are complied with forthwith. Let a copy of this order be sent directly to deputy commissioner Bhiwani immediately for compliance “

Sd/

(Mahesh Grover, Judge )

1. That the applicant herein has passed his Haryana/State teachers eligibility test (H/STET) by securing 179 marks out of 350 marks under Roll no. 3234145 from Haryana state education Board, Bhiwani in October 2008.
2. That total 1131 posts of PGT, Physics were advertised by respondent no 4 vide Advt. no. 1/2012 dated 7.6.2012. In pursuance of this advt. the applicant applied on line and through proper Chanel as well on 25.6.2012 for the post of PGT, H.E.S-II being fully eligible and qualified for the post.
3. That all certificates including H/STET certificate along with B.Sc., M.Sc.(physics), B. Ed certificates were kept in a paper folder in a almirah. The HTET certificate was completely burnt whereas other certificates mentioned above were partially burnt on 22.6.2012 due to minor fire in the room. The remaining partially burnt original certificates mentioned above are with the petitioner the same can be produced if so directed by this Hon’ble court.
4. That the applicant made personal visits in the office of respondent no.3 for getting the duplicate copy of the certificate. The applicant applied for issue of duplicate certificate on the prescribed Performa to respondent no. 3 on 16.7.2012. Respondent no.3 declined the request on 16.7.2012 itself on the ground that matter is under consideration of Hon’ble High court therefore duplicates certificate cannot be issued. A copy of the letter dated 16.7.2012 issue by respondent no. 3 is annexed herewith as **Annexure A-1.**
5. That the applicant was called for verification of documents -cum- interview on 13.8.2012 at Ballabgarh. Copy of interview letter dated 16.7.2012 is annexed here with as **Annexure A-2.**
6. That applicant submitted an application along with duly sworn in affidavit to The Chairman, Haryana school Teachers Selection Board Panchkula At Ballabgarh mentioning that the original HTET certificate of tha applicant is burnt and duplicate certificate cannot be produced as respondent no.3 is not able to issue the duplicate certificate as the matter is under consideration before Hon’ble High court. Copies of application dated 13.8.2012 and affidavit dated 7.8.2012 are annexed herewith as **Annexure A-3 & A-4**.

It is therefore, respectfully prayed that the application may kindly be allowed and respondents may kindly be directed to take provisional interview of the applicant and issue a computer generated/ duplicate HTET certificate to the applicant in the interest of justice.

**Chandigarh. DEVENDER NIRBAN**

**Dated 17.8.2012 Advocate**

**Counsel for the Applicant**

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.M………OF 2012 IN

C.W.P NO. 3 of 2011

Parveen kumari & ors ………..Petitioners

Versus

State of Haryana & ors **…………**Respondents

**Affidavit of Kuldeep Sharma s/o shri Ram r/o vill. Mirja pur**

**Tehsil Narnaul Distt. Mohindergarh. Haryana**

I, the above named deponent do hereby solemnly affirm and declare as under:-

1. That the instant civil miscellaneous is being filed in this Hon’ble court which is likely to succeed on the facts mentioned therein. The applicant/deponent is undertakes to abide by any direction or order passed by this Hon’ble court.
2. That the instant civil misc. application has been prepared on the instructions of the deponent. The applicant is fully conversant with the contents of the civil misc. application. The contents of para 1 to 7 of the above civil misc. application are true and correct to the best of my knowledge and belief.
3. That the deponent has not filed earlier such or similar application in this Hon’ble court or the Hon’ble Supreme court of India.

CHANDIGARH DEPONENT

DATED .8.12

VERIFICATION

Verified that the contents of my above affidavit para 1&3 are true and correct to my Knowledge and no part of it is false and nothing material has been concealed there from

CHANDIGARH

Dated .8.2012 DEPONENT

**Annexure A-1**

**HARYANA SCHOOL EDUCATION BOARD, BHIWANI**

FROM,

Secretary

HARYANA SCHOOL EDUCATION BOARD, BHIWANI

To,

Kuldeep Sharma s/o sh. Shri Ram Sharma

Sl.no. 83/STET/ certificate Dasti dated 16.7.2012

Subject: - for issue of duplicate certificate for STET examination 2008.

It is informed on the subject mentioned above that on the order of the competent authority and matter being under consideration of Hon’ble High Court, the duplicate certificate cannot be issued.

Sd/

Supdt. (Certificates)

For secretary

True translated copy

Advocate

**Annexure A-2**

**HARYANA SCHOOL TEACHERS SELECTION BOARD**

Verification/scrutiny of documents-cum- interview for the post of PGT Physics(cat.no.3) H.E.S-II(Group B service)

Education deptt. Haryana Advt. no.1/2012

No. 3/2/2012/HSTSB-1 SR Dated 16/7/2012

Committee: committee A

Place of Verification/scrutiny/ interview:- PWD (B&R) rest house , near bus stand , Ballabgarh Roll no. 88310056

Applicants name KULDEEP SHARMA Date of verification 13/8/2012

Fathers name SHRI RAM SHARMA Category General

Mothers name USHA Date of Birth 29/12/1976

Permanent Address vill. Mirja pur Timing 9.30 AM

PO Bachhod Tehsil Narnaul Distt. Mohindergarh

Ph. No. 9416347272

Correspondence add. vill. Mirja pur Regd. No. 10300294

PO Bachhod Tehsil Narnaul Distt. Mohindergarh

Candidates name: KULDEEP SHARMA Sd/ candidate’s

Supdt. Recruitment & signature

Scrutiny HSTSB,Panchkula

True relevant extract copy

Advocate

**Annexure A-3**

To,

The chairman

Haryana school teachers’ selection Board Panchkula at Ballabgarh

Sub: In reference to destruction of eligibility certificate by fire.

Sir,

It is submitted that I have passed the eligibility test examination for lecturer physics in 2008 conducted by Haryana school education Board Bhiwani under Roll no.3234145. That today on 13.8.2012 I am unable to produce the above eligibility certificate as the same has been burnt. I had applied on 16.7.2012 for getting the duplicate certificate from Haryana school education Board Bhiwani .But the Board has given written reply stating that on the order of the competent authority and matter being under consideration of Hon’ble High Court , the duplicate certificate cannot be issued .

It is therefore humbly prayed that I may be permitted to appear in the interview for the post of Lecturer physics. The certificate shall be produced before your good self as soon as received from the Board.

Date 13.8.2012 Applicant

Encl. 1Application for duplicate STET certificate Kuldeep Sharma vill.

2 copy of reply by HSEB Bhiwani

Mirjapur PO Bachhod

Tehsil Narnaul Distt.

Mohindergarh

True translated copy

Advocate

**Annexure A-4**

**Affidavit**

I kuldeep Sharma s/o sh. Shri Ram Sharma r/o vill. Mirja pur sub. Tehsil Ateli Mandi tehsil Narnaul Distt. Mohinder garh solemnly affirm and declare as under

1. That I am the resident of the above mentioned address
2. That I have passed the eligibility test examination for lecturer physics in 2008 conducted by Haryana school education Board Bhiwani under Roll no.3234145.
3. That my above eligibility certificate is destroyed by burning.
4. That Haryana school education Board Bhiwani is unable to issue duplicate certificate due to the order passed by Hon’ble High Court, Chandigarh.
5. That the duplicate certificate shall be produced in the office without any delay as soon as received from the H.S.E .Board Bhiwani without any objection.

Deponent

Verification:-

Verified that the contents of my above affidavit from para 1to 5are true and correct to my Knowledge.

Ateli Mandi

Dated 7 .8.2012 DEPONENT

Attested as identified

Executive magistrate

Ateli mandi

True translated copy

Advocate

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.M………OF 2012 IN

C.W.P. NO. 3 of 2011

Parveen kumari & ors ………..Petitioners

Versus

State of Haryana & ors **…………**Respondents

**INDEX**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sr. NO** | **Particulars** | **Dated** | **Pages** | **Court Fee** |
|  | Urgent form |  |  | 2.65 |
| 1. | Application | 17.8.2012 | 1-3 | 2.65 |
| 2. | Affidavit | 17**.**8.2012 | 4 |  |
| 3 | Annexure A-1(Letter) | 16.7.2012 | 5 | **.**65 |
| 4 | Annexure A2(InterviewLetter) | 16.7.2012 | 6 | **.**65 |
| 5 | Annexure A-3(Application) | 13.8.2012 | 7 | .65 |
| 6 | Annexure A-4(Affidavit) | 7.8.2012 | 8 | .65 |
| 7 | Power of Attorney. | 17.8.2012 | 9 | 2.65 |

i) Similar case: Record of the H.S.E.B Bhiwani is ordered to be

Sealed in C.W.P NO. 3 of 2011

ii) Any caveat notice has been received: NIL

**CHANDIGARH**  **(DEVENDER NIRBAN)**

**Advocate**

**Dated: 17.08.2012 Counsel for the Petitioner**

**P/1882/01**

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.M………OF 2012 IN

C.W.P. NO. 3 of 2011

Parveen kumari & ors ………..Petitioners

Versus

State of Haryana & ors **…………**Respondents

COURT FEE

Total court fee …………….

**CHANDIGARH**  **(DEVENDER NIRBAN)**

**Advocate**

**Dated: 17.08.2012 Counsel for the Petitioner**