

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.7376 OF 2008

ISHWAR CHAND . . . . .APPELLANT (S)

VERSUS

STATE OF HARYANA & ORS. . . . .RESPONDENT (S)

WITH

CIVIL APPEAL NO.7401/2008

O R D E R

Heard learned counsel appearing for the parties.

Aggrieved by the impugned order dated 04.07.2006 passed by the High Court in C.W.P. No.9685 of 2006, the appellant preferred this appeal by special leave.

Admittedly, on the basis of fake driving licence, the appellant got employment as Driver in the Haryana Roadways. While driving the Haryana Roadways' Bus, he met with an accident and killed one person and injured another. As a result of that, departmental disciplinary proceedings were initiated and a punishment of stoppage of five increments with cumulative effect was imposed upon the appellant. While issuing notice to the appellant, the Financial Commissioner and Principal Secretary to the Government of Haryana, Transport

Department, reversed the order of the aforesaid punishment.

On being dissatisfied with the reply of the appellant, the Financial Commissioner and Principal Secretary directed to terminate the services of the appellant. The said order was affirmed by the High Court by dismissing the writ petition filed by the appellant.

In the background of these facts, we are of the definite opinion that if a person gets public appointment on the basis of fake driving licence and while driving the vehicle, kills or injures innocent persons, he should not be allowed to continue his employment any further.

Needless to say that the Financial Commissioner and Principal Secretary to the Government of Haryana, Transport Department, has exercised their power under Rule 14 of the Haryana Civil Services (Punishment and Appeal) Rules, 1987, to revise the order of punishment and accordingly, terminated the services of the appellant. There is no need to reverse his findings.

With the aforesaid observations, these appeals are dismissed.

.....J  
[M. Y. EQBAL]

.....J  
[ARUN MISHRA]

NEW DELHI;  
JULY 22, 2015.

ITEM NO.115

COURT NO.10

SECTION IV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.7376/2008

ISHWAR CHAND

Appellant(s)

VERSUS

STATE OF HARYANA &amp; ORS.

Respondent(s)

(With office report)

WITH C.A. No.7401/2008

(With Office Report)

Date : 22/07/2015 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL  
HON'BLE MR. JUSTICE ARUN MISHRAFor Appellant(s) Mr. Rajesh Tyagi, Adv.  
For Mr. Atishi Dipankar, Adv.For Respondent(s) Mr. Amit Kumar, Adv.  
For Mr. Rajeev Kumar Singh, Adv.UPON hearing the counsel the Court made the following  
O R D E R

These appeals are dismissed in terms of the signed order.

(Sanjay Kumar-II)  
Court Master(Indu Pokhriyal)  
Court Master

(Signed Order is placed on the file)