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Reserved



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 15328 of 2025

Veena Menon

.....Petitioner(s)

Versus

State of U.P. and 4 others

.....Respondent(s)

Counsel for Petitioner(s) : Himanshu Bansal, Shivam Yadav
Counsel for Respondent(s) : C.S.C.

Court No. - 52

HON'BLE MRS. MANJU RANI CHAUHAN, J.

1. Mr. Himanshu Bansal, learned Advocate has appeared on behalf of the petitioner and Mr. Shailendra Singh, learned Standing Counsel appeared for the State.
2. The petitioner has preferred instant writ petition challenging orders dated 26.07.2025, 13.08.2025 passed by the Additional Secretary, Madhyamik Shiksha Parishad, Meerut Region and the consequential orders dated 19.08.2025 and 20.08.2025 passed by the District Basic Education Officer, Meerut. The petitioner has further prayed for the direction upon the respondents to forthwith release the withheld salary of the petitioner along with all consequential benefits including arrears and continuity of service. It has further been prayed that the respondents may be directed to issue High School Marksheet and Passing Certificate of the petitioner in terms of the Gazette

Notification of 1984 wherein the petitioner's name is recorded at Serial No. 725.

3. Placing brief facts of the case, learned counsel for the petitioner submits that the petitioner was appointed way back in the year 1989 as an Assistant Teacher in Chruch City Junior High School, Thatherwada, District Meerut and served up to the satisfaction of her superiors and there has been no complaint against her. At the time of appointment the educational documents submitted by her including High School Marksheet of the year 1984 (Roll no. 1233725) issued by St. Thomas Girls Inter College, Meerut were duly verified. Till date mark sheets of class 10th and class 12th as well as TET of the petitioner were not disputed and they still hold good ground in the eyes of law.
4. The controversy arose when the petitioner had to upload all details of her employment along with the documents of educational qualifications on Manav Sampada Portal as per requirements of the respondents. While doing so, the petitioner realized that Passing Certificate of High School was also required to be uploaded. The aforesaid certificate was withheld by Madhyamik Shiksha Board in the year 1984 due to non-submission of some papers and there was no requirement of any such certificate, therefore, the petitioner did not apply for Class-X passing certificate, however the handwritten marksheet of class 10th duly certified by the Principal of the School from where she had completed her Class-X was made available to her. Thus for uploading Class-X certificate as required by the respondent authorities, the petitioner approached Madhyamik Shiksha Parishad, Regional Office, Meerut requesting for issuance of marksheet and passing certificate of High School bearing roll no. 1233725 from St. Thomas Girls Inter College, Meerut, by means of moving an application dated 20.03.2024. On 30.08.2024 the Regional Secretary, Madhyamik Shiksha Parishad, Meerut Region, informed the petitioner that as the result of High School Examination 1984 (Roll No.

1233725) was shown as 'withheld' on the ground that entry of her name in the admission register and Transfer Certificate of Class-IX had not been submitted by the institution. It was further mentioned that in terms of resolution of the Examination Committee dated 23.10.2019, the results of such candidates would remain withheld unless the requisite documents were furnished within two years and thereafter will be released on the orders of Secretary, Madhyamik Shiksha Parishad. The petitioner had completed Class-X education in the year 1984 bearing Roll No. 1233725 and due to non deposit of her transfer certificate of Class-IX, the mark sheet/ passing certificate was not released. However on the basis of Class-X marksheet issued by the Principal which was duly certified, the petitioner passed her Class-XI and XII examinations. The petitioner on the advice of Regional Secretary, furnished all details by filing an affidavit dated 13.05.2024 along with notarized affidavit mentioning therein that her maiden name was Veena Breo and her name is Smt. Veena Menon, both are one and the same person.

5. The petitioner also deposited her Transfer Certificate and the Gazette issued by the Madhyamik Shiksha Parishad, wherein name of the petitioner is surfaced at serial no. 725 indicating she has been declared passed with third division.
6. On the aforesaid, instead of issuing High School Certificate and marksheet, the Parishad started enquiring into the marksheet issued by the Principal of the School which was in accordance with the gazette notification as issued by the Parishad, wherein petitioner's name is surfaced at serial no. 725 and also started enquiry of Class-VIII Transfer Certificate which was produced by the petitioner and the same relates to District Etah.
7. Relying upon the aforesaid enquiry, without affording any opportunity of hearing or giving any notice to the petitioner, the Additional

Secretary, Madhyamik Shiksha Parishad, Meerut Region vide order dated 26.07.2025 rejected petitioner's application requesting for issuance of Class-X marksheet and certificate, solely on the ground of alleged non-submission of documents treating the petitioner's case not to be genuine.

8. The petitioner who has submitted her explanation on 28.07.2025 before the Madhyamik Shiksha Parishad in response to the allegations mentioned in the order dated 26.07.2025, the same has not been considered. Thereafter an order dated 13.08.2025 was passed by the Additional Secretary, Madhyamik Shiksha Parishad, Meerut Region, without considering the fact that the Transfer Certificate which has been alleged by the respondents to be submitted by the petitioner, in fact has not been submitted by her. The petitioner has never attended the alleged school situated in District Etah. The aforesaid order dated 13.08.2025 was not given to the petitioner and also to the Department of the Basic Education, however, the said order was communicated to the petitioner on 25.08.2025.
9. The aforesaid order speaks about three documents produced before the Madhyamik Shiksha Parishad on 24.05.2025; (i) Affidavit dated 13.05.2025; (ii) Transfer Certificate of Class-VIII issued by Junior High School, Rustamgarh, District Etah; (iii) Handwritten marksheet issued by the Principal, St. Thomas Girls Inter College, Meerut.
10. On the aforesaid documents, an enquiry has been conducted by Madhyamik Shiksha Board. Aforesaid order though mentions the handwritten marksheet as produced by the petitioner, has not been issued by the Principal of the School as he has denied issuance of the same. However, it does not mention about the Gazette notification which clearly details the name of the petitioner which is shown at Sl. No. 725. In the aforesaid order the Transfer Certificate of Class-VIII as

produced before the authorities relates to District Etah and the same has not been found to be forged during the enquiry.

11. Learned Counsel for the petitioner further submits that there was no occasion for the petitioner to go to District Etah for attending school as she is born and brought up in District Meerut. She has been educated in District Meerut up to Class-XII and has also got her TET certificate from Bihar.
12. Subsequent to the order dated 26.07.2025 the District Basic Education officer has passed order dated 19.08.2025 and 20.08.2025. By order dated 19.08.2025 the District Basic Education Officer has withheld the due salary of the petitioner granting three month's time to produce original High School Marksheet and Certificate. By order dated 20.08.2025 the District Basic Education Officer has modified the order dated 19.08.2025 reducing three month's time to fifteen days for production of the original High School Marksheet and Certificate. Thus, the impugned orders dated 26.07.2025, 13.08.2025, 19.08.2025 and 20.08.2025 are under challenge in this writ petition.
13. Learned Counsel for the petitioner contends that the impugned order dated 26.07.2025 passed by respondent no. 2 rejecting application of the petitioner requesting for issuance of Class-X Marksheet and Certificate is arbitrary as instead of issuing the certificate on the basis of Gazette notification wherein the petitioner's name finds place at Sl. No. 725 on the basis of which the Principal of St. Thomas Girls Inter College, Meerut has issued a handwritten marksheet and the enquiry has been conducted without any notice or opportunity of hearing to the petitioner.
14. The aforesaid has been done, after the petitioner has put in nearly 35 years of service as Assistant Teacher ignoring the fact that the said handwritten marksheet as issued by the Principal of the said institution on the basis of gazette notification as issued by the board was placed

before the authorities at the time of appointment as Assistant Teacher and same has been duly verified.

15. Learned Counsel for the petitioner further contends that another illegality has been committed by the respondents while getting Class-VIII transfer certificate issued from District Etah inquired, which infact has never been produced by the petitioner. He further submits that even otherwise the Class-VIII certificate does not have any bearing on Class-X educational certificate which the petitioner has duly passed. Relying upon the order dated 26.07.2025, the District Basic Education Officer has passed orders dated 19.08.2025 and 20.08.2025 without further enquiring upon the reality about Class-VIII certificate and the fact that the petitioner had already passed Class-X from the school, Principal of which had issued a handwritten marksheet on the basis of Gazette notification, that too, without giving any notice or opportunity of hearing to the petitioner.
16. Learned Counsel for the petitioner next submits that impugned orders have been passed by completely opening new front when the petitioner was required to upload educational documents including High School marksheet on Manav Sampada Portal by reopening the case of the petitioner after 35 years of service about High School marksheet and enquiring such Class-VIII Transfer Certificate from District Etah which has never been produced by the petitioner.
17. The orders impugned have been passed in gross violation of principles of natural justice as no opportunity of hearing has ever been afforded to the petitioner. The authorities have passed the impugned orders arbitrarily ignoring the gazette notification of the year 1984 wherein petitioners name finds place at Sl. No. 725 declaring her to have passed, instead emphasizing upon an alleged Class-VIII Transfer Certificate which has no bearing upon the petitioner's Class-X result.

18. While passing the orders impugned, the authorities have not considered the fact that as per settled position of law, Class-X gazette and marksheet are the only determinative records and the Transfer Certificate of Class-VIII issued from District Etah cannot have any bearing over Class-X marksheet and the said marksheet cannot be doubted or disputed on the basis of such alleged Transfer Certificate of Class-VIII.
19. Learned Counsel for the petitioner, further contends that the orders passed by the District Basic Education Officer are totally based upon the order as passed by the Additional Secretary, Madhyamik Shiksha Parishad, without independent application of mind. Proper disciplinary proceedings have not been initiated prior to passing of the orders impugned, therefore, the same is arbitrary and bad in the eyes of law. The respondents have also ignored the fact that Writ-A No. 9228 of 2013 was filed challenging the order passed by the Director of Education, whereby the representation for payment of salary was rejected on the ground that they did not fulfill minimum eligibility qualification as per U.P. Recognized Basic Schools Recruitment (Junior High Schools) (Recruitment of Conditions of Services of Teachers) Rules, 1978¹, which was disposed of by order dated 17.09.2019, wherein also High School marksheet of the petitioner was not disputed.
20. Learned counsel for the petitioner submits that withholding the due salary of the petitioner and modification of the order dated 19.08.2025 reducing three month's time to fifteen days for production of the original High School Marksheet and Certificate clearly demonstrates the malafide intention and colourable exercise of powers by the authorities concerned.
21. In the written submissions as submitted on 09.03.2026, learned counsel for the petitioner has placed the facts of the case, which are thus:

¹ The Rules, 1978

a) The petitioner passed the High School Examination in the year 1984, conducted by the Madhyamik Shiksha Parishad, U.P., bearing Roll No. 1233725, and her name is duly published in the official Gazette Notification at Serial No. 725.

b) Petitioner's result has been recorded as "withheld (CP category)", therefore, she approached the concerned institution, namely St. Thomas Girls Inter College, Meerut, from where she had appeared in the High School Examination. Upon verification of the Gazette Notification and the school records, the Principal In-Charge of the institution issued marksheet/certificate to the petitioner, certifying that she had appeared in the High School Examination in the year 1984 and had been declared successful therein. Such handwritten certificates were issued by the institution at the relevant point of time on the basis of the Gazette publication to enable students to pursue further studies when the formal marksheet had not been issued by the Board due to procedural reasons. On the strength of the said certificate, the petitioner thereafter pursued her further education, including Intermediate (Class XII) and other requisite qualifications, and after appointment as Assistant Teacher in the year 1989 all documents were duly verified by the authorities concerned.

c) Surprisingly, after 35 years of service, when education documents were to be uploaded on Manav Sampada Portal, a story has been built up regarding submission of forged Class-VIII certificate and the fact that the original marksheet and passing certificate has not been uploaded.

22. Learned counsel for the petitioner has raised two main issues for consideration while challenging the orders impugned:

- i. Whether the respondents were justified in refusing to issue the High School marksheet and passing certificate to the petitioner despite the fact that her name finds place in the official Gazette

Notification of the year 1984 issued by the Board, declaring her to have passed the High School Examination?

- ii. Whether an alleged irregularity or discrepancy in a Class-VIII Transfer Certificate can legally invalidate or be used as a ground to deny issuance of a High School (Class-X) marksheet and certificate by the Board, particularly when the petitioner had duly appeared in the examination, was declared successful in the official Gazette, and the said qualification was accepted by the authorities at the time of appointment decades earlier?
23. While justifying his case, learned counsel for the petitioner submits that petitioner's name appears in the official Gazette Notification of the Board at Serial No. 725, declaring her to have passed the High School Examination, however, the respondents have ignored this official record and instead relied upon extraneous considerations such as an alleged Class-8 transfer certificate. It is well settled that entries in official records maintained by statutory authorities carry presumption of correctness. Therefore, the refusal to issue the marksheet despite the Gazette publication is arbitrary and perverse.
24. Learned counsel for the petitioner further submits that the petitioner has not only passed the High School Examination but has also successfully completed the Intermediate (Class XII) Examination (Annexure no. 3 to the writ petition), and both the said certificates have been duly issued by the Madhyamik Shiksha Parishad, Uttar Pradesh. The petitioner thereafter pursued further studies and obtained the Basic Training Certificate (BTC), which is the prescribed training qualification for appointment to the post of Assistant Teacher in the Basic Education Department. It is pertinent to submit that all these educational qualifications were acquired on the strength of the petitioner's High School and Intermediate certificates issued by the said Board. The petitioner's eligibility for appointment as Assistant

Teacher was duly assessed and accepted by the competent authorities on the basis of these qualifications at the time of appointment in the year 1989. Thus, the petitioner's entire educational progression, including completion of Intermediate and the BTC training course, stands recognized by the competent authorities, and the same clearly demonstrates that the petitioner's qualifications have consistently been accepted by the respondents throughout her service career.

25. It has further been argued by learned counsel for the petitioner that even assuming, without admitting, that there existed any discrepancy relating to Class 8th Transfer Certificate the petitioner's educational record, the same could at best be construed as a procedural irregularity and not an illegality so as to justify the drastic action taken by the respondents. The petitioner's result in the High School Examination of the year 1984 stands duly published in the official Gazette issued by the Board, which constitutes an authentic public record maintained in the ordinary course of official business.
26. He next contends that the petitioner was appointed as an Assistant Teacher in the year 1989 and her educational qualification was duly accepted and verified by the competent authorities at the time of her appointment. The petitioner has thereafter rendered more than three decades of continuous and satisfactory service without any complaint or adverse remark. At no point during this long period did the respondents raise any objection regarding the petitioner's educational qualification. In such circumstances, the respondents cannot now be permitted to question the same at the fag end of the petitioner's career.
27. Learned counsel for the petitioner further contends that it is a settled principle of service jurisprudence that where an employee has served the department for long years and the alleged defect pertains merely to a procedural lapse or documentation issue, the same cannot be treated as an illegality so as to invalidate the employee's service or deprive her

of salary and other service benefits. Courts have consistently held that minor procedural irregularities cannot defeat substantive rights, particularly when the employee has not obtained the benefit by practicing fraud or deliberate misrepresentation.

28. He further submits that the petitioner was appointed to the post of Assistant Teacher only after due verification of her educational qualifications by the competent authorities of the department. At the time of appointment, the petitioner had produced all the requisite certificates and documents, which were duly scrutinized and accepted by the concerned authorities. Thereafter, on the basis of the said qualifications, the petitioner continued in service for several decades and also pursued further studies required for her professional eligibility. In such circumstances, it is a settled principle of law that once the competent authorities themselves have verified and accepted the qualifications of an employee and allowed her to continue in service for a long period of time, the clock cannot now be rewound to reopen and question the very basis of such verification after the lapse of several decades. The respondents, having themselves undertaken the process of verification and having permitted the petitioner to serve the department for more than three decades, are now estopped from reopening the issue at this belated stage to the prejudice of the petitioner.
29. Learned counsel for the petitioner further submits that it is an undisputed and admitted position on record that the petitioner had appeared in the High School (Class X) Examination conducted by the Board in the year 1984. It is further not in dispute that on the strength of the said examination, the petitioner was permitted to pursue her further studies and thereafter appeared in the Intermediate (Class XII) Examination conducted by the competent Board. The petitioner successfully completed and passed the said Intermediate Examination as well. The fact that the petitioner was allowed to continue her

academic course and was permitted to appear in the Intermediate Examination itself clearly establishes that the petitioner's High School qualification was duly recognized and accepted by the authorities at the relevant time. The subsequent educational progression of the petitioner, culminating in passing both the High School and Intermediate examinations, therefore stands as a consistent and undisputed factual position on record, which further demonstrates that the petitioner's educational credentials were never questioned by the authorities for several years.

30. He further argues that the present writ petition cannot be said to be premature in any manner whatsoever. The requirement of submission of the High School (Class-10) marksheet has been specifically insisted upon by the office of the District Basic Education Officer, Meerut, and the failure to produce the said marksheet has already resulted in adverse and coercive consequences against the petitioner. In fact, acting upon the communication issued by the Madhyamik Shiksha Parishad refusing issuance of the marksheet, the District Basic Education Officer has proceeded to pass consequential orders whereby the salary of the petitioner has been withheld and directions have been issued requiring the petitioner to produce the said certificate within a stipulated period. Thus, the impugned actions have already culminated in civil consequences affecting the petitioner's service and livelihood. In such circumstances, the cause of action has clearly arisen and the petitioner cannot be compelled to wait for further punitive action to be taken. The present writ petition has therefore been filed to challenge the impugned orders and the consequential action of withholding the petitioner's salary, and the same is fully maintainable in law and cannot be termed as premature.
31. To strengthen his submissions, learned counsel for the petitioner contended that the action of the respondents in withholding the petitioner's salary is squarely impermissible in law in view of the

authoritative pronouncement of the Supreme Court in **State of Punjab v. Rafiq Masih (White Washer), (2015) 4 SCC 334**, wherein the Court has held that recovery of excess payments is not sustainable where the employee is not guilty of fraud or misrepresentation and where recovery would cause undue hardship and the recovery is impermissible when excess payments have continued for long periods, and when the employee has retired or is nearing retirement. The petitioner, having rendered more than three decades of unblemished service and being close to retirement, cannot be subjected to the harsh consequence of salary deprivation for no fault of her own.

32. He has also submitted that in an identical matter relating to non-issuance of a High School certificate, this Court in the case of **Markandey Kumar Yadav vs. State of U.P. & Ors.**², has held that once a candidate had been issued a marksheet, permitted to pursue higher studies, and had qualified subsequent examinations, the Board was required to examine its own records and rectify the anomaly rather than deny certification. The Court specifically directed the Board to conduct an enquiry to ascertain how the candidate was allowed to appear in subsequent examinations despite alleged discrepancies (Order dated 18.07.2017), and ultimately the certificate was directed to be issued, rendering the petition infructuous (Order dated 11.10.2017). The present case stands on a stronger footing as the petitioner's educational progression and long service have been consistently recognized by the authorities.
33. It has been further argued on behalf of the petitioner that the insistence on production of a Transfer Certificate and consequential denial of educational benefits is legally unsustainable. The Madras High Court in the case of **All India Private Schools Legal Protection Society vs. State of Tamil Nadu**³, has categorically held that Transfer Certificate

2 Writ-C No. 19955 of 2017

3 W.A. No. 3075 of 2021

is not a mandatory document for admission and cannot be used as a tool to obstruct a child's educational rights. The Court further held that procedural requirements cannot override the child's right to education and schools cannot impose conditions that defeat the object of the Right to Education Act. The ratio squarely applies in the present case where technical objections relating to records are being used to deprive the petitioner of lawful service and salary benefits.

34. It has been further argued by learned counsel for the petitioner that technical or procedural objections relating to educational records cannot be used to defeat substantive rights. The Madras High Court in **All India Private Schools Legal Protection Society (supra)**, has held that procedural requirements such as insistence on Transfer Certificate cannot override the fundamental right to education and cannot be used as a ground to deny educational benefits. The Court has further ruled that additional procedural conditions which defeat statutory rights are impermissible. The same principle squarely applies here, where alleged discrepancies in historical records are being used to deny issuance of marksheet and to withhold salary, despite the petitioner's qualifications having been accepted and recognized throughout her long service.
35. Placing the aforementioned submissions, learned counsel for the petitioner contends that the impugned orders are unsustainable, thus the same may be quashed by this Court.
36. Learned Counsel for the State has placed his submissions in the following manner:
 - a. The petitioner first time submitted application on 20.03.2024 more than after 40 years for issuing the mark sheet and certificate of High School Examination Year 1984, Roll No. 1233725 along with affidavit, certified photocopy of handwritten mark sheet of High School Personal Examination Year 1984, Dainik Jagran Meerut edition of

21.02.2024, mentioning that her mark sheet/certificate of High School Year 1984 Roll No.-1233725 is actually lost.

- b. The High School Examination Tabulation Chart of the 1984, petitioner was found at Serial No.1233725 result was withheld from the CP list due to non-submitting the relevant documents in the office of Respondent No. 2 by the petitioner.
- c. Respondent No. 2 directed the petitioner through office letter dated 30.03.2024 to provide evidence regarding the process and eligibility related to declaration of the result of High School Examination year-1984, Serial No.1233725 from the CP list.
- d. The petitioner submitted an affidavit on 20.03.2024 annexed the Class 8th forged and fabricated transfer certificate before the office of Respondent No. 2 regarding issuing fresh mark sheet (Annexed as Annexure CA-4 & 4(1) of the counter affidavit).
- e. The respondent no. 2 wrote a letter on 24.08.2024 to the Principal, St. Thomas Girls Inter College, Meerut asking to send a report whether the High School hand written mark sheet was issued or not. Thereafter the Principal of the concerned Institution informed through his letter dated 29.08.2024 that the student's result (CP) is not complete in the school gazette and no handwritten mark sheet has been issued to the student by the school.
- f. From the above, the enquiry officer submitted a report on 03.07.2025, therefore, on the basis of the enquiry report, letter dated 01.04.2025 of the District Basic Education Officer and report dated 29.08.2024 of the Principal St. Thomas Girls Inter College Meerut, the TC and High School handwritten mark sheet of examination year 1984, serial number-1233725 submitted by petitioner were found to be forged/fabricated and therefore, rejecting the representation of the petitioner.

- g. The petitioner appeared in the high school personal examination in the year 1984, serial number 1233725, from the registered school St. Thomas Girls Inter College, whose result list has been withheld in the CP category. Despite the list being withheld in the CP category due to the petitioner's result being ineligible, she fraudulently prepared a handwritten High School mark sheet and a fake Class 11th TC from the school i.e. St. Thomas Girls Inter College, Meerut, and took admission in Class 12th in another school, namely, Bhagirathi Arya Inter College, Meerut, and succeeded in appearing in the Intermediate Institutional Examination in the year 1987, serial number 061944. The petitioner presented TC SR No. 12010 of her previous school, i.e., St. Thomas Girls Inter College Meerut, which was submitted at the time of admission in class 12, for confirmation of which the office's enquiry officer, Shri Sanjeev Kumar Sharma, has mentioned in his on-site enquiry report that:-

"परीक्षार्थिनी वीना मेनन द्वारा इण्टरमीडिएट परीक्षा वर्ष -1987, विद्यालय भागीरथी आर्य कन्य इण्टर कालेज मेरठ के प्रवेश के समय जो कक्षा -11 उत्तीर्ण स्थानान्तरण प्रमाणपत्र क्रमांक-12010 विद्यालय सेन्ट थॉमर्स गर्ल्स इण्टर कालेज मेरठ से निर्गत, प्रस्तुत किया था। उक्त कक्षा-11 उत्तीर्ण स्थानान्तरण प्रमाणपत्र क्रमांक-12010 का सम्बन्धित विद्यालय सेन्ट थॉमर्स गर्ल्स इण्टर कालेज मेरठ से सत्यापन / परीक्षण किया गया। परीक्षण में पाया गया कि उक्त स्थानान्तरण प्रमाणपत्र विद्यालय सेन्ट थॉमर्स गर्ल्स इण्टर कालेज मेरठ से नहीं किया गया है। जिसकी पुष्टि सेन्ट थॉमर्स गर्ल्स इण्टर कालेज मेरठ के प्रधानाचार्य ने अपने पत्र दिनांक 25.10.2025 के द्वारा से भी की है। स्पष्ट है कि परीक्षार्थिनी द्वारा कक्षा-12 में प्रवेश हेतु कूटरचित/फर्जी स्थानान्तरण प्रमाणपत्र के आधार पर प्रवेश लिया गया है। तदुसार परीक्षार्थिनी वीना मेनन का इण्टरमीडिएट परीक्षा वर्ष-1987, अनुक्रमांक- 061944 का परीक्षाफल निरस्त किया जाना समीचीन होगा।"

- h. As a result of the said enquiry report and the Principal's letter dated 25.10.2025 confirming the petitioner's Class-11 Transfer Certificate as forged/fake, the result of the petitioner's Intermediate Institutional Examination 1987, Roll No. 061944 is pending consideration before the competent examination committee for cancellation. (Annexure No.CA-14).
- i. In Chapter-XII, Regulation-10(1) of the Uttar Pradesh Board of Secondary Education Rules 1983-88, regarding the eligibility of

individual candidates, it is mentioned that only individual candidates belonging to one of the following categories will be able to appear in the High School Examination:

“(एक) वे परीक्षार्थी, जिन्होंने निम्नलिखित में से कोई परीक्षा उत्तीर्ण की हो इस प्रतिबन्ध के साथ कि कथित परीक्षा उत्तीर्ण करने के पश्चात दो शैक्षिक वर्ष बीत चुके हैं:-

(क) जूनियर हाईस्कूल परीक्षा अथवा उत्तर प्रदेश में संचालित वह परीक्षा जो पहले हिन्दुस्तानी मिडिल परीक्षा कहलाती थी अथवा उत्तर प्रदेश के अतिरिक्त अन्य राज्यों के शिक्षा विभाग द्वारा संचालित अथवा मान्यता प्राप्त कोई समकक्ष परीक्षा।

(ख) परिषद अथवा शिक्षा विभाग उत्तर प्रदेश द्वारा मान्यता प्राप्त उच्चतर विद्यालय को कक्षा-8 की परीक्षा अथवा उत्तर प्रदेश या उसके बाहर स्थित सामान्य विद्यालय का अनुरूप परीक्षा इस प्रतिबन्ध के साथ कि यह स्कूल किसी ऐसी परीक्षा निकाय से सम्बद्ध या मान्यता प्राप्त है, जिसको परीक्षाएं परिषद द्वारा मान्यता प्राप्त है।”

In light of the above rule, it is confirmed that to appear in the High School Individual Examination, a candidate must have passed Class 9 or two academic years have passed since passing Class 8. Therefore, requesting a transfer certificate from the candidate/applicant is in accordance with the Board's regulations.

- j. In the light of the aforesaid order of the Hon'ble Court, it is most respectfully submitted that in the matter in question, the petitioner concealing the facts on the basis of forged/fake records, sent the file to the competent Examination Committee of the Board of Secondary Education, Uttar Pradesh Prayagraj vide office letter dated 14.11.2025 for cancellation of the result of appearing/passing in the High School and Intermediate examination. The order of the Examination Committee on the matter on 18.11.2025 is as follows:

"समिति ने निश्चय किया कि परीक्षार्थिनी श्रीमती वीना मेनन द्वारा कक्षा 8 की कूटरचित एवं फर्जी टी०सी० के आधार पर कक्षा 9 में प्रवेश लेकर हाईस्कूल व्यक्तिगत परीक्षा वर्ष 1984 अनु०-1233725 से परीक्षा में सम्मिलित होने तथा अर्हता के अभाव में परीक्षाफल के सूची सी०पी० में रूके होने के बाद भी परिषदीय विनियमों के विपरीत पुनः कूटरचित एवं फर्जी अभिलेखों के आधार पर तथ्यगोपन करते हुए कक्षा 11 में प्रवेश लेकर इण्टरमीडिएट संस्थागत परीक्षा वर्ष 1987 अनु०-061944 से उत्तीर्ण किया गया है। अतः परीक्षार्थिनी श्रीमती वीना मेनन का हाईस्कूल व्यक्तिगत परीक्षा वर्ष 1984 अनु०-1233725 एवं इण्टरमीडिएट संस्थागत परीक्षा वर्ष 1987 अनु०-061944 का परीक्षाफल निरस्त किया जाय। परीक्षार्थिनी को निर्गत अंकपत्र एवं प्रमाण पत्र वापस प्राप्त किया जाय एवं जिला विद्यालय निरीक्षक द्वारा निरस्तीकरण की सूचना दैनिक समाचार पत्र में प्रकाशित करायी जाय।”

- k. It is necessary to pass Class 8th examination for appearing in the High School examination and the petitioner was not found to be qualified in Class 8th and appeared in Examination of Class 10th against the provisions of Chapter-XII, Regulation-10 (1) of the Uttar Pradesh Board of Secondary Education Rules 1983-88.
- l. The petitioner submitted an affidavit along with forged and fabricated transfer certificate of Class 8th before the respondent no. 2, due to which the petitioner was not entitled to appear in High School Examination, therefore, the entire certificates of the petitioner are found to be forged and fabricated.
- m. One Manjul Kumar obtained the appointment on the basis forged mark sheet. The respondent-authority stopped his salary without passing any written order, thereafter, Manjul Kumar filed **Writ-A No. 13670 of 2020⁴**, before this Hon'ble Court, and this Hon'ble Court vide order dated 24.08.2021 dismissed the writ petition filed by him, the operative portion of the order is being quoted herein below:

“...It is not disputed by the petitioner that the documents were duly verified by the competent authorities and the authorities conferring the certificates have certified that the documents relied upon by the petitioner are forged and manufactured documents. Petitioner in the circumstances would have no right to continue on the post and receive salary. The very foundation on which the appointment rests is non-est -- void abinitio. Nothing further has to be done by the authorities but to discontinue the appointment. In permitting the petitioner to continue in service and pay salary would perpetuate fraud and misrepresentation that would be negation of rule of law. Petitioner, his father (clerk) and the then Basic Education Officer were throughout aware that petitioner had obtained the appointment by fraud...”

- n. That the petitioner's appointment as Assistant Teacher in the year 1989, after completion of 35 years of service, petitioner submitted application for issuing fresh mark sheet, after enquiry, petitioner's Class 8th Transfer Certificate as well as 11th mark sheet found forged and fabricated, due to the said reason petitioner's salary was stopped.

4 Manjul Kumar Vs. State of U.P. & others

37. To strengthen his submissions, learned Standing Counsel has relied upon numerous judgments of this Court as well as Apex Court, which are thus:

a. Hon'ble Apex Court in the case of **Jainendra Singh Vs. State of U.P.**⁵, in Paragraph No.29.1 has observed as follows:

"29.1 Fraudulently obtained orders of appointment could be legitimately treated as voidable at the option of the employer or could be recalled by the employer and in such cases merely because the respondent employee has continued in service for a number of years, on the basis of such fraudulently obtained employment, cannot get any equity in his favour or any estoppels against the employer."

b. This Court in **Writ (A) No.19634 of 2025**⁶, in Paragraph No. 5 observed as follows:-

"5. Learned counsel for the respondent-BSA further submits that it is a settled position of law that no opportunity of hearing or detailed inquiry is warranted in cases where an appointment has been secured by practicing fraud. This issue has already been discussed in several judgments passed by this Court in the cases of Virendra Kumar Mishra vs. State of UP and 4 Others, in Writ A No. 11846 of 2025, Shiv Kumar vs. State of U.P. and 8 Others, in Writ A No. 12839 of 2023, Pankaj Mathur vs. State of U.P. and 3 Others, in Writ A No. 12336 of 2025 and Deepa Magleena vs. State of U.P. And 4 Others, in Writ-A No. 10843 of 2025. The same has been held in the case of Kamlesh Kumar Nirankari vs. State of U.P. and 20 Others, in Writ A No.20140 of 2023, wherein this Court has observed that in case the employment has been obtained based on fraudulent documents on concealing facts, the beneficiary of such fraud cannot seek any inquiry in terms of Uttar Pradesh Government Servant (Discipline and Appeal) Rules, 1999. Similar issue has also been settled in the case of Krishna Kant vs. State of U.P. and 2 Others, in Writ A No. 10029 of 2025."

c. One Virendra Kumar Mishra filed **Writ-A No.11846 of 2025**⁷ before this Court, and this Court vide its judgment and order dated 19.08.2025, in Paragraph No. 24 & 25 has observed as follows:

"24. Thus, the law in case of appointment obtained fraudulently is well settled. Fraudulently obtained order of appointment or approval can be recalled by the authority concerned. In such cases merely because the employee continued in service for a number of years, on the basis of fraudulently obtained orders, cannot create any equity in his favour or any estoppel against the employer/authority. When an appointment or approval has been obtained by a person on the basis of forged documents, it would amount to misrepresentation and fraud on the employer. It would create no

5 (2012) 8 SCC 748

6 Garima Singh Vs. State of U.P. & Others

7 Virendra Kumar Mishra Vs. State of U.P. & Others

equity in his favour or any estoppel against the employer to cancel such appointment or approval since "Fraud and justice never dwell together.

25. In view of the foregoing analysis and observations, now, it is clear that when any selection/recruitment or appointment to some post was made illegally and it is noticed on the complaint or at subsequent stage that illegalities, irregularities, improprieties, procedural infirmities and deficiencies and defects have occurred, forgery or foul-play adopted or non observance of Act, rules, norms were made in process then the beneficiary candidate, who has become output and product of such defective and bad selection or outcome of spoiled system process, shall have no right or claim to the post or salary or any consequential benefits in the service.”

- d. One Kamlesh Kumar Nirankari filed **Writ - A No. - 20140 of 2023**⁸ before this Hon'ble Court, and this Hon'ble Court vide its judgment and order dated 25.08.2025, in Paragraph No. 32, 33, 34, 35 & 36 has observed as follows:

“**32.** In the present case, the verification report categorically records that the documents submitted by the petitioner were forged. The petitioner was issued a show-cause notice and was called upon to produce the original certificates, but he failed to do so. In these circumstances, the respondents were justified in concluding that the appointment had been procured by fraudulent means.

33. The contention that a full departmental enquiry ought to have been held is without merit. Once it is established that the very entry into service was vitiated by fraud, there is no "termination" in the strict sense, but only a declaration that no valid appointment ever existed. The requirement of an elaborate enquiry, as mandated for proven misconduct of a regular employee, has no application to such cases.

34. In this view of the matter, when the petitioner had produced forged documents for getting appointment and nothing has been pointed out to controvert the findings recorded in the impugned order, the petitioner is not entitled to grant any relief as prayed.

35. Thus, where a person secures appointment on the basis of a forged marksheet or certificate or appointment letter and on that basis he or she has been inducted in Government service then he/she becomes beneficiary of illegal and fraudulent appointment. Such an appointment is illegal and void ab initio. Therefore, holding disciplinary proceedings envisaged by Article 311 of the Constitution of India or under any disciplinary rules including the Uttar Pradesh Basic Education Staff Rules, 1973 or the Uttar Pradesh Government Servant (Discipline and Appeal) Rules 1999, shall not arise.

36. The forgery committed by the petitioner, for obtaining public employment on the basis of forged educational documents is the basic eligibility condition for appointment on the post of Assistant Teacher. Therefore, it vitiates the process of his appointment. Thus, the appointment of the petitioner is void ab initio and he cannot be said to be a government

servant. Therefore, his appointment has been lawfully cancelled by the impugned order.”

- e. The Apex Court in the case of **Ram Chandra Singh Vs. Savitri Devi and others**⁹, has elaborately considered the meaning of the word fraud and its effects and held in paragraph nos. 15 to 34 as under:

15. Commission of fraud on court and suppression of material facts are the core issues involved in these matters. Fraud as is well-known vitiates every solemn act. Fraud and justice never dwells together.

16. Fraud is a conduct either by letter or words, which induces the other person, or authority to take a definite determinative stand as a response to the conduct of former either by word or letter.

17. It is also well settled that misrepresentation itself amounts to fraud. Indeed, innocent misrepresentation may also give reason to claim relief against fraud.

18. A fraudulent misrepresentation is called deceit and consists in leading a man into damage by willfully or recklessly causing him to believe and act on falsehood. It is a fraud in law if a party makes representations which he knows to be false, and injury ensues therefrom although the motive from which the representations proceeded may not have been bad.

19. In *Derry v. Peek*, (1889) 14 AC 337, it was held: In an 'action of deceit the plaintiff must prove actual fraud. Fraud is proved when it is shown that a false representation has been made knowingly, or without belief in its truth, or recklessly, without caring whether it be true or false. A false statement, made through carelessness and without reasonable ground for believing it to be true, may be evidence of fraud but does not necessarily amount to fraud. Such a statement, if made in the honest belief that it is true, is not fraudulent and does not render the person make it liable to an action of deceit.

20. In *Kerr on Fraud and Mistake* at page 23, it is stated:

"The true and only sound principle to be derived from the cases represented by *Slim v. Croucher* is this that a representation is fraudulent not only when the person making it knows it to be false, but also when, as *Jessel, M.R.*, pointed out, he ought to have known, or must be taken to have known, that it was false. This is a sound and intelligible principle, and is, moreover, not inconsistent with *Derry v. Peek*, A false statement which a person ought to have known was false, and which he must therefore be taken to have known was false, cannot be said to be honestly believed in.

A consideration of the grounds of belief, said Lord Herschell, "is no doubt an important aid in ascertaining whether the belief was really entertained. A mans mere assertion that he believed the statement he made to be true is not accepted as conclusive proof that he did so."

21. In *Bigelow on Fraudulent Conveyances* at page 1, it is stated:

"If on the facts the average man would have intended wrong, that is enough. "

It was further opined:

9 (2003) 8 SCC 319 : JT 2005(11) SC 439

"This conception of fraud and since it is not the writer's, he may speak of it without diffidence), steadily kept in view, will render the administration of the law less difficult, or rather will make its administration more effective.

Further, not to enlarge upon the last matter, it will do away with much of the prevalent confusion in regard to 'moral' fraud, a confusion which, in addition to other things, often causes lawyers to take refuge behind such convenient and indeed useful but often obscure language as 'fraud upon the law. What is fraud upon the law? Fraud can be committed only against a being capable of rights, and fraud, upon the law' darkens counsel. What is really aimed at in most cases by this obscure contrast between moral fraud and fraud upon the law, is a contrast between fraud in the individual's intention to commit the wrong and fraud as seen in the obvious tendency of the act in question."

22. Recently this Court by an order dated 3rd September, 2003 in *Ram Preeti Yadav v. UP. Board of High School & Intermediate Education and Ors.* reported in JT 2003 (Supp. 1) SC 25 held:

"Fraud is a conduct either by letter or words, which induces the other person, or authority to take a definite determinative stand as a response to the conduct of former either by words or letter. Although negligence is not fraud but it can be evidence on fraud. (See *Derry v. Peek* (1889) 14 AC

337). In *Lazarus Estate v. Berly* [1956] 1 All ER 341] the Court of Appeal stated the law thus:

"I cannot accede to this argument for a moment "no Court in this land will allow a person to keep an advantage which he has obtained by fraud. No judgment of a Court, no order of a Minister, can be allowed to stand if it has been obtained by fraud. Fraud unravels everything". The Court is careful not to find fraud unless it is distinctly pleaded and proved; but once it is proved it vitiates judgments, contracts and all transactions whatsoever."

In *S.P. Chengalayaraya Naidu v. Jagannath* [(1994) 1 SCC 1] this Court stated that fraud avoids all judicial acts, ecclesiastical or temporal."

23. An act of fraud on court is always viewed seriously. A collusion or conspiracy with a view to deprive the rights of the others in relation to a property would, render the transaction void ab initio. Fraud and deception are synonymous.

24. In *Arlidge & Parry on Fraud*, it is stated at page 21:

"Indeed, the word sometimes appears to be virtually synonymous with

"deception", as in the offence (now 16 repealed.) of obtaining credit by fraud. It is true that in this context "fraud" included certain kinds of conduct which did not amount to false pretences, since the definition referred to an obtaining of credit "under false pretences, or by means of any other fraud".

In *Jones*, for example, a man who ordered a meal without pointing out that he had no money was held to be guilty of obtaining credit by fraud but not of obtaining the meal by false pretences: his conduct, though fraudulent, did not amount to a false pretence. Similarly it has been suggested that a charge of conspiracy to defraud may be used where a "false front" has been presented to the public (e.g. a business appears to be reputable and creditworthy when in fact it is neither but there has been nothing so

concrete as a false pretence. However, the concept of deception (as that (inter alia) it includes a misrepresentation as to the defendant's defined in the Theft Act 1968) is broader than that of a false pretence in intentions; both Jones and the "false front" could now be treated as cases of obtaining property by deception."

25. Although in a given case a deception may not amount to fraud, fraud is anathema to all equitable principles and any affair tainted with fraud cannot be perpetuated or saved by the application of any equitable doctrine including res-judicata.

26. In Smt. Shrisht Dhawan v. Shaw Brothers, it has been held that:

"Fraud and collusion vitiate even the most solemn proceedings in any civilized system of jurisprudence. It is a concept descriptive of human conduct, "

27. In S.P. Chengalvaraya Naidu v. Jagannath (1994) 1 SCC 1] this Court in no uncertain terms observed:

"....The principle of "finality of litigation" cannot be passed to the extent of such an absurdity that it becomes an engine of fraud in the hands of dishonest litigants. The Courts of law are meant for imparting justice between the parties. One who comes to the Court, must come with clean hands. We are constrained to say that more often than not process of the Court is being abused. Property-grabbers, taxevaders, bank-loan dodgers and other unscrupulous persons from all walks of life find the court-process a convenient lever to retain the illegal gains indefinitely. We have no hesitation to say that a person whose case is based on falsehood, has no right to approach the Court. He can be summarily thrown out at any stage of the litigation... A fraud is an act of deliberate deception with the design of securing something by taking unfair advantage of another. It is a deception in order to gain by another's loss. It is a cheating intended to get an advantage... A litigant, who approaches the Court, is bound to produce all the documents executed by him, which are relevant to the litigation. If he withholds a vital document in order to gain advantage on the other side then he would be guilty of playing fraud on the Court as well as on the opposite party. "

28. In Indian Bank v. Satyam Fibres (India) Pvt. Ltd., this Court after referring to Lazarus Estates (supra) and other cases observed that 'since fraud affects the solemnity, regularity and orderliness of the proceedings of the Court it also amounts to an abuse of the process of the Court, that the Courts have inherent power to set aside an order obtained, by practising fraud upon the Court, and that where the Court is misled by a party or the Court itself commits a mistake which prejudices a party, the Court has the inherent power to recall its order.

It was further held:

"The judiciary in India also possesses inherent power, specially under Section 151 CPC, to recall its judgment or order if it is obtained by fraud" on Court, In the case of fraud on a party to the suit or proceedings, the Court may direct the affected party to file a separate suit for setting aside the decree obtained by fraud. Inherent powers are powers, which are resident in all Courts, especially of superior jurisdiction. These powers spring not from legislation but from the nature and the constitution of the tribunals or Courts themselves so as to enable them to maintain their

dignity, secure obedience to its process and rules, protect its officers from indignity and wrong and to punish unseemly behavior. This power is necessary for the orderly administration of the Court's business."

29. In *Chittaranjan Das v. Durgapore Project Limited and Ors.*, It has been held:

"Suppression of a material document which affects the condition of service of the petitioner, would amount to fraud in such matters. Even the principles of natural justice are not required to be complied within such a situation.

It is now well known that a fraud vitiates all solemn acts. Thus, even if the date of birth of the petitioner had been recorded in the service returns on the basis of the certificate produced by the petitioner, the same is not sacrosanct nor the respondent company would be bound thereby."

30. Keeping in view the aforementioned principles, the questions raised in these appeals are required to be considered. The High Court observed that the application of intervention filed by the appellant purported to be under Order XXVI, Rules 13 and 14(2) and Order XX, Rule 18 was not maintainable as they do not confer any power to court for setting aside a preliminary decree on the ground that it was obtained by practising fraud.

But once the principles aforementioned are to be given effect to, indisputably the court must be held to have inherent jurisdiction in relation thereto.

31. In *Manohar Lal Chopra v. Raj Bahadur Rao Raja Seth Hiralal*, the law is stated in the following terms:

"The Code of Civil Procedure is undoubtedly not exhaustive: it does not lay down rules for guidance in respect of all situations nor does it seek to provide rules for decision of all conceivable cases which may arise. The civil courts are authorized" to pass such orders as may be necessary for the ends of justice, or to prevent abuse of the process of court, but where an express provision is made to meet a particular situation the Code must be observed, and departure therefrom is not permissible."

32. In *Sharda v. Dharmpal*, a three-Judge Bench, of which both of us are parties, held that directing a person to undergo a medical test by a matrimonial court is implicit stating:"

38. Learned counsel for the State contends that the right to salary or pension after retirement flows from a valid and legal appointment. The consequential right of pension and monetary benefits can be given only if the appointment was valid and legal. Such benefits cannot be given in a case where the appointment was found to have been obtained fraudulently and rested on false affidavit and succession certificate.

39. He further submits that a person such as the petitioner, who has procured appointment as teacher on basis of forged/false affidavit and certificate, cannot be entitled for any sympathy and she is required to

be dealt with strictly. The petitioner secured appointment on the basis of forged certificate or mark sheet, such appointment is illegal and void *ab initio*. Therefore, passed the impugned order dated 26.07.2025, 13.08.2025 passed by Additional Secretary, Secondary Education Board, Meerut and order dated 19.08.2025 & 20.08.2025 passed by District Basic Education Officer, Meerut withholding the salary of the petitioner are totally in accordance with law.

40. Learned counsel for the State next contends that the petitioner has also played fraud with the Court annexing aforesaid false documents with this writ petition as such in the interest of justice that this Hon'ble Court may graciously be pleased to dismiss the present writ petition as misconceived and also punish the petitioner of her conduct and direct the competent authority to recover the entire salary. She has secured appointment on the basis of forged certificate or mark sheet, such appointment is illegal and void *ab initio*, therefore, only disciplinary proceedings envisaged by Article 311 of the Constitution of India or under any disciplinary rules including the Uttar Pradesh Basic Staff Rules, 1973 or the Uttar Pradesh Government Servant (Discipline and Appeal) Rules, 1999, shall not arise.
41. Heard learned counsel for the petitioner, learned Standing Counsel for the State and perused the record.
42. The present writ petition has been instituted impugning the orders dated 26.07.2025 and 13.08.2025 passed by the Additional Secretary, Madhyamik Shiksha Parishad, Meerut Region, as well as the consequential orders dated 19.08.2025 and 20.08.2025 issued by the District Basic Education Officer, Meerut. By virtue of the aforesaid orders, the petitioner's claim for issuance of the High School Certificate and mark sheet has been declined, and the petitioner's salary has also been withheld.

43. The petitioner has asserted that she successfully passed the High School Examination in the year 1984 and was thereafter duly appointed as an Assistant Teacher in the year 1989. It is further averred that subsequent to such appointment, the petitioner has rendered prolonged and continuous service spanning several years.
44. The controversy appears to have arisen when the petitioner was called upon to upload their educational credentials on Manav Sampada Portal for official purposes. In pursuance thereof, the petitioner sought issuance of the High School mark sheet and certificate after an inordinate lapse of nearly four decades. Upon due enquiry by the competent authority, it was revealed that the petitioner's result had been categorized under the "withheld C.P." category, on account of non-submission of the requisite foundational documents at the relevant point of time.
45. It is an admitted position on record that the petitioner submitted an application dated 20.03.2024, accompanied by a Transfer Certificate pertaining to Class VIII and a handwritten High School mark sheet purportedly issued by St. Thomas Girls School, Meerut. However, the petitioner has erroneously denied the material fact that the Transfer Certificate evidencing her having passed Class VIII from the institution concerned at Etah was not submitted by her.
46. On the contrary, the record reveals that the petitioner furnished a Transfer Certificate of Class VIII from an institution at Meerut, which does not correspond to the requisite foundational document expected to substantiate her academic credentials. Such inconsistency in the documents placed on record casts a serious doubt upon the veracity of the petitioner's claim.
47. The aforesaid fact pertaining to the submission of the Class VIII mark sheet stands duly established from the material available on record.

48. A detailed order dated 26.07.2025 has been passed by the Additional Secretary, Madhyamik Shiksha Parishad, Meerut Region, wherein a comprehensive account of the inquiry conducted into the documents submitted by the petitioner along with her application dated 20.03.2024 seeking issuance of the High School marksheet and certificate, has been set forth.
49. Upon being apprised by the Parishad of certain technical impediments in processing a request for issuance of certificates made after an inordinate lapse of time, the petitioner proceeded to submit a fresh application. The same was accompanied by a duly sworn affidavit bearing her photograph, along with a Transfer Certificate evidencing her having passed Class VIII from Junior High School, Rustamgarh, Etah, duly certified by the District Basic Education Officer concerned. The aforesaid documents were submitted before the Parishad on 13.05.2024, which were received on 24.05.2024.
50. Upon receipt of the aforesaid documents, the Parishad undertook verification of the High School certificate through the Principal, St. Thomas Girls' Inter College, Meerut. In response thereto, the Principal, vide communication dated 29.08.2024, furnished the following information:
- "उपरोक्त विषयक आपके पत्रांक संख्या क्षे०का०मा०शि०प / मे०/ समन्वय /69 / दिनांक 24.08.24 जो दिनांक 28.08.24 को डाक द्वारा प्राप्त हुआ। हाइस्कूल व्यावतगत, परीक्षा वर्ष - 1984 अनुक्रमांक- 1233725 का हस्तलिखित अंक पत्र छात्रा जो वीना मैनन 236 मिशन कम्पाउन्ड द्वारा आपको प्रस्तुत किया गया हैं। विद्यालय के गजट में छात्रा का परीक्षाफल (सी०पी०) पूर्ण नहीं हैं। विद्यालय द्वारा कोई भी हस्तलिखित अंक पत्र छात्रा को निर्गत नहीं कराया गया है। छात्रा का परीक्षाफल घोषित करने का विद्यालय को कोई भी आदेश अभी तक प्राप्त नहीं हुआ हैं। पत्र आपको अग्रिम कार्यवाही करने हेतु प्रेषित।"
51. A communication dated 24.08.2024 was issued by the Parishad for the purposes of verification of the Class VIII Transfer Certificate purportedly issued by Junior High School, Rustamgarh, Etah, as well as the certification accorded thereto by the District Basic Education Officer.

52. Pursuant thereto, two reports came to be received, one dated 27.12.2024 and the other dated 01.04.2025, which were found to be mutually contradictory. While the former affirmed that the Class VIII pass certificate stood duly verified and certified by the District Basic Education Officer, the latter categorically refuted the same.
53. In view of such inconsistency, the Parishad deemed it appropriate to cause an independent verification. Accordingly, Shri Munindra Kumar, In-charge Deputy Secretary, was deputed to conduct an on-site inspection. Upon undertaking the requisite inquiry, he submitted his report dated 02.05.2025, which reads as follows:

"मेरे द्वारा दिनांक-02.05.2025 को जूनियर हाईस्कूल रूस्तम गढ़ एटा में उपस्थित होकर स्थलीय जांच / भौतिक सत्यापन किये जाने पर प्रधानाचार्य द्वारा अवगत कराया गया कि परीक्षार्थिनी द्वारा प्रस्तुत कक्षा-08 की टी०सी० मेरे द्वारा निर्गत नहीं की गई है। उक्त टी०सी० में अंकित सुमन लता नाम की कोई भी प्रधानाध्यापक या अन्य पद विद्यालय की स्थापना से लेकर अब तक नियुक्ति ही नहीं हुई है। परीक्षार्थिनी श्रीमती वीना मैनन से सम्बन्धित कोई भी अभिलेख विद्यालय में उपलब्ध नहीं है। जिससे स्पष्ट है कि श्रीमती वीना मैनन (सहायक अध्यापक) द्वारा कक्षा-08 उत्तीर्ण की कूट रचित टी०सी० प्रस्तुत की है। जो अनुचित एवं व्यक्तिगत लाभ प्राप्त करने की चेष्टा की है।"

54. As a measure of abundant caution, the Parishad undertook further inquiry to ascertain the veracity of the two contradictory reports submitted with respect to the verification of the Class VIII Transfer Certificate. In this regard, a communication dated 23.06.2025, received via email on 03.07.2025 from the office of the District Basic Education Officer, categorically clarified that the verification report dated 01.04.2025, as relied upon by the petitioner, was genuine and had indeed been issued from the said office. It was further unequivocally stated that no verification report dated 27.12.2024 had ever been issued by the said authority.
55. In light of the aforesaid clarification, the inescapable conclusion that emerges from the record is that the petitioner has sought to rely upon a forged and fabricated document, thereby rendering her claim wholly untenable.

56. Notwithstanding the aforesaid, the Parishad, in adherence to the principles of natural justice, afforded the petitioner an opportunity to establish the genuineness of the handwritten High School mark sheet submitted by her, as well as the Class VIII Transfer Certificate purportedly issued from Etah. However, the petitioner failed to furnish any response or material in support of her claim.
57. In such circumstances, the order dated 26.07.2025 passed by the Additional Secretary, Madhyamik Shiksha Parishad, Regional Office, Meerut, is found to be in consonance with law and based upon due consideration of the material on record.
58. The matter was taken up by this Court, on 13.10.2025 and 28.10.2025 and the following orders were passed.

Order Dated: 13.10.2025:

1. Mr. S.C. Upadhyay, learned Standing Counsel, is directed to seek instructions from the U.P. Madhyamik Shiksha Parishad, Allahabad and all the respondents, in respect of the correctness of the petitioner's mark sheets of the 10th and 12th classes. The Secretary, U.P. Madhyamik Shiksha Parishad, Allahabad, is also directed to submit a photocopy of the record pertaining to the petitioner along with his clear comments.
2. Put up this case as fresh on 28.10.2025.
3. A copy of this writ petition shall also be handed over to the Secretary, U.P. Madhyamik Shiksha Parishad, Allahabad for going through the record pertaining to the educational qualification of the petitioner and submitting his report along with instructions in respect of correctness of her certificate.
4. In case any delinquency is found on the part of the Secretary, U.P. Madhyamik Shiksha Parishad, Allahabad for not giving clear instructions, action may be taken against him and the matter shall be handed over to the another senior authority for conducting the inquiry into the cause of action mentioned in the writ petition.

Order Dated 28.10.2025:

1. By means of the present petition, petitioner seeks the following reliefs:

I. Issue a writ, order or direction in the nature of Certiorari calling upon the records quashing the impugned orders dated 26.07.2025, 13.08.2025 passed by the Additional Secretary, Madhyamik Shiksha Parishad, Meerut Region, and the consequential orders dated 19.08.2025 and 20.08.2025 passed by the District Basic Education Officer, Meerut.

II. Issue a writ, order or direction in the nature of Mandamus commanding the respondents to forthwith release the withheld salary of the petitioner along with all consequential benefits, including arrears and continuity of service.

III. Issue a writ, order or direction in the nature of Mandamus commanding the respondents to issue the High School marksheet and passing certificate of the petitioner in

terms of the Gazette Notification of 1984 wherein the petitioner's name is recorded at Serial No. 725."

2. Respondent nos. 2 and 3 are directed to file counter affidavit disclosing the information whether the alleged certificate has been issued from the Board or not.

3. Put up this matter as fresh on 12.11.2025."

59. A detailed inquiry was conducted by the Secretary of the Parishad. Pursuant thereto, the application dated 20.03.2024, submitted by the petitioner for issuance of a duplicate mark sheet and certificate pertaining to the High School Examination, 1984 (Roll No. 1233725), along with the challan form, affidavit, certified copies, photocopy of the handwritten mark sheet, and other supporting documents including the publication in Dainik Jagran, Meerut Edition dated February 21, 2024, asserting that the original mark sheet and certificate had been lost were duly examined by the Parishad.
60. Upon scrutiny of the record, it transpires that multiple affidavits have been submitted by the petitioner. However, these affidavits are materially inconsistent and contradictory in nature. In certain affidavits, the petitioner has averred that she has been employed in a government, semi-government, or private organization, whereas in others, she has categorically denied any such engagement. These inconsistencies cast serious doubt upon the veracity and credibility of the petitioner's claims and the authenticity of the documents relied upon by her.
61. Upon perusal of the record, it transpires that the petitioner had submitted an application dated 13.05.2024, accompanied by a photocopy of an affidavit and a countersigned Transfer Certificate issued by the Junior High School, Rustamgarh, Etah, pertaining to her studies in Classes VI to VIII. Thereafter, another communication dated 24.05.2024 was forwarded by the Director of Secondary Education, recommending reconsideration of the petitioner's request for issuance of her Intermediate Marksheet and Certificate.

62. It is further borne out from the record that the petitioner submitted multiple affidavits at different points in time. Notably, an affidavit dated 19.07.2025, amongst others, categorically stated that she was not employed in any government, semi-government, or private organization. However, in stark contradiction thereto, the petitioner subsequently submitted another application dated 05.08.2024, wherein she admitted to having committed an error earlier and filed a fresh affidavit declaring that she was, in fact, employed in a government and semi-government organization.
63. All the aforesaid documents, applications, and affidavits were duly taken into consideration while adjudicating upon the petitioner's application dated 20.03.2024 for issuance of a High School Marksheet and Certificate. Upon a comprehensive inquiry into the matter, it was conclusively found that the petitioner had indulged in acts of forgery in securing appointment to the post of Assistant Teacher.
64. The entirety of these findings and the detailed inquiry conducted in this regard have been elaborately set forth in the order dated 26.07.2025, whereby the petitioner's application for issuance of the High School Marksheet and Certificate came to be rejected.
65. As already noted hereinabove, for the purpose of adjudicating the petitioner's application dated 20.03.2024, a report was requisitioned from the Principal, St. Thomas Girls' Inter College, Meerut, with regard to the authenticity of the petitioner's High School marksheet. In compliance thereof, the Principal submitted a report dated 29.08.2024, unequivocally stating that no handwritten marksheet had ever been issued to the petitioner. It was further clarified that the petitioner's result was not declared in the Gazette and had, in fact, been placed under the "withheld" category (C.P.), and that no order for declaration of the said result has been received by the institution till date.

66. Furthermore, the District Basic Education Officer was directed to conduct an independent inquiry in respect of the Transfer Certificate pertaining to Class VIII. Upon due verification, the said Transfer Certificate was also found to be not genuine.
67. This Court does not deem it necessary to reiterate the entirety of the aforesaid inquiries in extenso, which have already been comprehensively dealt with in the impugned order rejecting the petitioner's application for issuance of the High School marksheet. Suffice it to observe that the cumulative findings arising from the said inquiries unmistakably establish that the petitioner had secured appointment to the post of Assistant Teacher by relying upon forged and fabricated documents.
68. In compliance with the directions issued by this Court, a comprehensive inquiry was conducted. Pursuant thereto, Sanjeev Kumar Sharma, who was appointed as the Inquiry Officer and was then posted as Deputy Secretary, Madhyamik Shiksha Parishad, Region Meerut, submitted his report dated 25.10.2025.
69. As per the findings recorded in the aforesaid report, it has been conclusively established that the petitioner had produced a handwritten High School marksheet and a fabricated Transfer Certificate (T.C.) purportedly issued for Class XI from St. Thomas Girls Inter College, Meerut. On the strength of the said documents, the petitioner secured admission in Class XII at Bhagirathi Arya Inter College, Meerut and was consequently permitted to appear in the Intermediate Examination, 1987, under Roll No. 061944.
70. The record further reveals that, at the time of seeking admission in Class XII, the petitioner had submitted a Transfer Certificate bearing Serial No. 12010, allegedly issued by her previous institution, namely, St. Thomas Girls Inter School, Meerut. However, upon due

verification, the Inquiry Officer categorically found the said Class XI Transfer Certificate to be forged and fabricated.

71. It has also been noted in the inquiry report that the result of the petitioner in the Intermediate Examination, 1987, remains under consideration before the competent Examination Committee for cancellation. In further substantiation of the findings, a communication dated 25.10.2025 issued by the Principal has been appended to the inquiry report.
72. The conclusions drawn in the inquiry report leave no manner of doubt that the petitioner had systematically relied upon forged and fictitious documents to secure academic progression and consequential benefits, thereby vitiating the very foundation of her claim.
73. It is evident from the record that due notices had been duly issued to the petitioner, affording her an opportunity to submit her reply prior to the proposed cancellation of her High School marksheet and certificate, as well as the Intermediate certificate, which prima facie appear to have been procured by practising fraud. Despite such opportunity having been extended, the petitioner failed to submit any response.
74. Instead of availing the said opportunity, the petitioner has chosen to invoke the writ jurisdiction of this Court by filing the present petition, seeking relief which, in the considered opinion of this Court, is wholly untenable in the eyes of law. It is a well-settled principle, consistently reiterated by the Hon'ble Supreme Court and various High Courts, that fraud vitiates all solemn acts. In cases where an action is founded upon fraud, the requirement of affording an opportunity of hearing is considerably diluted, and in appropriate cases, even dispensed with.
75. In the present case, the material on record unmistakably points towards deliberate misrepresentation and fabrication of documents by the petitioner. Consequently, the petitioner cannot be permitted to take

advantage of her own wrong by invoking the equitable jurisdiction of this Court under Article 226 of the Constitution of India.

76. From the foregoing discussion, it is manifestly clear that the petitioner had failed to satisfy the foundational eligibility conditions requisite for appearing in the High School Examination. The inquiry conducted in the matter further reveals that the petitioner's entire subsequent academic progression was predicated upon forged and fabricated documents.
77. In light of the aforesaid categorical findings, the rejection of the petitioner's claim for issuance of the High School certificate and marksheet cannot be faulted. Consequential actions, including the withholding of salary, have also been initiated by the competent authority in accordance with law.
78. The reliance sought to be placed upon the Gazette notification and other ancillary documents is wholly misconceived and devoid of merit. The material available on record unequivocally establishes that the petitioner's result had been recorded as "withheld", thereby dispelling any presumption of her having successfully completed the examination.
79. More importantly, the inquiry has categorically revealed that no direction or authorization was ever issued by the competent authority to the Principal of the concerned institution for issuance of any handwritten marksheet. In the absence of such authorization, the very foundation of the petitioner's claim stands vitiated, rendering her reliance upon such documents entirely untenable in the eyes of law.
80. Upon a meticulous and comprehensive inquiry, the competent authority has returned categorical findings to the effect that the documents relied upon by the petitioner are forged and fabricated. It is a settled principle of law that, in exercise of its writ jurisdiction, this Court does not act as an appellate forum to reappraise or reassess

findings of fact, unless such findings are demonstrated to be perverse, manifestly arbitrary, or wholly unsupported by the material on record.

81. In the present case, the findings impugned are firmly anchored in cogent and credible evidence, including official records, verification reports, and the unequivocal denial by the purported issuing institution regarding the authenticity of the documents in question. Significantly, the petitioner has failed to place any material on record to dislodge or controvert the said findings.
82. Consequently, the conclusions arrived at by the competent authority cannot be said to suffer from any illegality, arbitrariness, or perversity warranting interference by this Court. The decision-making process stands duly substantiated by evidence and is, therefore, immune from judicial review under Article 226 of the Constitution of India.
83. This Court further finds that Chapter XII, Regulation 10.1 of the Uttar Pradesh Board of Secondary Education Rules, 1983-88, delineates three distinct categories of candidates who are eligible to appear in the High School Examination. The requisite conditions governing such eligibility have already been extracted above in paragraph 35(i).
84. A perusal of the record unmistakably reveals that the petitioner does not fall within any of the aforesaid categories. The foundational educational documents, namely those pertaining to Classes VIII, IX, and XI, have, upon due inquiry, been found to be forged and fabricated. In the absence of genuine foundational qualifications, the very edifice of the petitioner's claim stands vitiated.
85. Consequently, the assertion of the petitioner that her High School certificate is genuine is wholly untenable and devoid of any legal foundation. Such a claim, resting as it does upon tainted and fabricated documents, is liable to be rejected outrightly.

86. As regards the submission advanced by learned counsel for the petitioner that in early entry no. 9228 of 2013 filed assailing the order whereby the petitioner's representation for payment of salary came to be rejected, the High School certificate of the petitioner was not put in issue, this Court finds the said contention to be misconceived.
87. A perusal of the record reveals that the controversy pertaining to the authenticity and validity of the petitioner's High School certificate did not fall for consideration in the aforesaid writ proceedings. Consequently, no adjudication, much less any conclusive finding, was rendered by this Court on the said aspect. It is, therefore, not open to the petitioner to contend that the absence of any adverse observation therein amounts to a tacit affirmation of the genuineness of the said certificate.
88. The petitioner is equally unjustified in contending that the refusal to issue the mark sheet is arbitrary or unsustainable merely on the strength of the official gazette notification, wherein the petitioner's name finds mention at Serial No. 725, indicating that although she had appeared in the examination, her result was withheld under the C.P. category.
89. This Court is of the considered opinion that such a gazette notification, by itself, cannot be construed as conclusive proof of the petitioner having duly passed the examination, particularly in the absence of compliance with the mandatory regulatory requirements. The applicable regulations unequivocally mandate that a candidate must have fulfilled the foundational eligibility conditions, namely, passing of Class VIII or IX, prior to being permitted to appear in the High School Examination.
90. In the present case, once it stands established that the petitioner had not satisfied the said prerequisite conditions, the mere publication of her name in the gazette notification, reflecting a withheld result, does

not *ipso facto* confer any legal sanctity upon the claim of having passed the examination. Consequently, such notification cannot be relied upon to authenticate or validate the petitioner's handwritten mark sheet, which is alleged to have been issued dehors the official records and in clear contravention of the prescribed procedure. Accordingly, the contention advanced by the petitioner in this regard is devoid of merit and is liable to be rejected.

91. Upon due consideration of the inquiries conducted, coupled with the admitted position that the petitioner did not possess the requisite eligibility to appear in the High School examination, this Court finds that even if, for the sake of argument, it is presumed that the High School mark sheet relied upon by the petitioner was procured by her, the same admittedly does not emanate from the competent authority, i.e., the Parishad.
92. In such circumstances, the impugned action cannot be characterised as a mere procedural irregularity or a lapse in documentation. Rather, it constitutes a patent illegality vitiated by fraud. The material on record unmistakably indicates that the petitioner has sought to secure appointment to the post of Assistant Teacher by placing reliance upon a mark sheet which lacks authenticity and has not been issued by the competent authority.
93. It is trite law that fraud vitiates all solemn acts. The petitioner, having consciously indulged in misrepresentation and having suppressed material facts, cannot be permitted to derive any advantage from such deceitful conduct. The very foundation of her appointment stands tainted, having been procured by practicing fraud upon the authorities.
94. In view thereof, no question arises of protecting or enforcing any purported substantive right in favour of the petitioner. Any benefit secured on the basis of fraud is *non est* in the eyes of law and liable to be annulled. Consequently, the contention of the petitioner, founded

upon equitable considerations, is wholly untenable and deserves to be rejected.

95. Learned counsel for the petitioner has sought to place reliance upon certain judicial pronouncements in support of his submissions. However, upon a careful, contextual, and purposive analysis of the said judgments, this Court finds that the reliance so placed is wholly misconceived and devoid of merit. The cited judgments are clearly distinguishable on facts as well as on law, and do not support the case of the petitioner in any manner.
96. The reliance placed upon the decision in **Rafiq Masih (supra)** is wholly misplaced. The said judgment pertains to the issue of recovery of excess payments made to employees and is founded upon equitable considerations in situations where no element of fraud or misrepresentation is attributable to the employee. The ratio laid down therein has no application to the facts of the present case, where the very substratum of the petitioner's claim, i.e., her eligibility and foundational qualifications, is under serious cloud on account of established findings of fraud and fabrication. Consequently, the said decision does not come to the aid of the petitioner.
97. Similarly, the reliance placed upon the judgment in **Markandey Kumar Yadav (supra)** is equally misconceived. In the said case, the Court proceeded on the premise that the candidate's educational records were genuine and that the discrepancy arose on account of an administrative lapse on the part of the authorities. In contradistinction, the present case does not involve any mere procedural irregularity or administrative omission. Rather, it concerns substantive invalidity of the petitioner's claim, founded upon documents which, upon due inquiry, have been found to be forged and fabricated. The very edifice of the petitioner's eligibility is thus rendered unsustainable. Therefore,

the said judgment is clearly distinguishable on facts and does not strengthen the case of the petitioner in any manner.

98. Likewise, the reliance placed upon the decision in **All India Private Schools Legal Protection Society (supra)** is equally misconceived and inapposite to the controversy at hand. The said judgment operates in an entirely different domain, namely, the Right to Education and the removal of procedural impediments faced by students in accessing educational opportunities. The present case, however, pertains to the verification and genuineness of educational qualifications in the context of public employment, where the standards of scrutiny are necessarily stringent and any element of fraud or fabrication strikes at the very root of the claim. The ratio of the aforesaid decision, therefore, has no application to the facts of the present case and does not advance the petitioner's cause in any manner.
99. In contradistinction, the judgments relied upon by the respondents are directly on point and enunciate binding principles of law which squarely govern the controversy involved in the present case. The ratio laid down therein is fully applicable to the facts at hand and lends complete support to the action impugned, thereby fortifying the stand taken by the respondents.
100. In **Manjul Kumar (supra)**, it has been authoritatively held that where the very foundation of an appointment is tainted by forgery, the appointment itself stands vitiated and is liable to be treated as void *ab initio*. The principle enunciated therein applies with full force to the present case, where the petitioner's foundational educational qualifications themselves are shrouded in doubt and have, upon inquiry, been found to be forged and fabricated. Consequently, the petitioner cannot derive any legal sanctity from an appointment founded upon such tainted credentials.

101. The Apex Court in **Jainendra Singh (supra)** has unequivocally held that fraud vitiates every solemn act, including appointment to public service, and that mere length of service does not create any enforceable equity in favour of the employee.
102. In view of the aforesaid settled position of law, the contention advanced on behalf of the petitioner that she ought not to be disturbed after having rendered long years of service is wholly untenable. Such a plea cannot be countenanced when the very foundation of the appointment stands vitiated on account of fraud and the use of forged and fabricated documents. The equitable considerations sought to be invoked by the petitioner pale into insignificance in the face of established illegality.
103. In **Garima Singh (supra)**, it has been held that where fraud is writ large on the face of the record, the principles of natural justice cannot be invoked as a protective shield by the wrongdoer. In such circumstances, the requirement of affording an opportunity of hearing stands substantially diluted and, in appropriate cases, may even be dispensed with. Accordingly, in cases where an appointment has been secured by practising fraud, no vested right accrues in favour of the appointee so as to insist upon strict adherence to the principles of natural justice. The law does not permit a person to take advantage of his own wrong, and any action founded upon fraud is liable to be nullified without being fettered by procedural technicalities.
104. Likewise, in **Virendra Kumar Mishra (supra)** and **Kamlesh Kumar Nirankari (supra)**, this Court has consistently reiterated the settled principle that no right can emanate from a fraudulent act, and that the Courts must refrain from lending their imprimatur to claims founded upon deceit or misrepresentation. It has further been held that once the foundational documents are found to be forged and fabricated, the resultant appointment is rendered a nullity in the eyes of law and does

not warrant any elaborate adjudicatory exercise. The ratio of the said decisions squarely applies to the facts of the present case, where the petitioner's claim is demonstrably rooted in fraudulent documentation, thereby disentitling her from any relief under the equitable jurisdiction of this Court.

105. From the aforesaid discussion, this Court unequivocally finds that the petitioner has failed to establish the existence of a validly acquired High School qualification. The documents relied upon by her are not only unreliable but are also vitiated by serious and substantive doubts as to their authenticity.
106. The case of the petitioner is not one of a mere procedural irregularity or administrative lapse; rather, it is a case of foundational illegality, striking at the very root of her claim. The precedents relied upon by learned counsel for the petitioner are clearly distinguishable and inapplicable to the facts of the present case. On the contrary, the controversy is squarely covered by the judgments relied upon by learned counsel for the respondents, which fully support the impugned action.
107. The petitioner has failed to make out any case warranting interference by this Court in exercise of its extraordinary jurisdiction. She cannot be permitted to derive any advantage from the plea of long continuance in service or from any alleged lapse on the part of the authorities in not undertaking verification of documents at the time of appointment. The record clearly indicates that the petitioner was fully conscious of the fact that the handwritten marksheet, purportedly obtained from the institution, had never been issued by the competent authority.
108. Moreover, despite being aware that her result had been placed under the "withheld" (C.P.) category, as duly reflected in the Gazette notification, the petitioner proceeded to rely upon such fabricated

documents. In such circumstances, the petitioner cannot be allowed to shift the burden onto the authorities or seek to take benefit of their omission, if any, when the very foundation of her claim is tainted by fraud and deliberate misrepresentation.

109. Once the very substratum and foundational basis of the petitioner's appearance in the High School examination is found to be non-genuine, the petitioner cannot be permitted to contend that, since the High School certificate and mark sheet have not yet been formally cancelled and continue to subsist on record, the impugned orders are rendered unsustainable in the eyes of law. Such a plea is wholly misconceived. A document, the origin whereof is tainted by fraud or fabrication, does not acquire legitimacy merely on account of the absence of a formal order of cancellation. Fraud vitiates all solemn acts, and no right can be founded upon a forged or fabricated document.
110. In a catena of decisions this Court as well as Apex Court have unequivocally held that no person can be allowed to take advantage of his own wrong and have also observed that fraud and justice can never dwell together. The Courts have also held that an appointment obtained on the basis of a false or fabricated certificate is void *ab initio* and confers no enforceable right, even if such certificate has not been formally cancelled.
111. In the present case, the competent authority, upon due inquiry, has already recorded findings and recommended cancellation of the High School as well as Intermediate certificates and mark sheets obtained by the petitioner. Such recommendation further fortifies the conclusion that the very edifice of the petitioner's claim stands vitiated.
112. This Court finds that the petitioner approached the authorities after an inordinate and unexplained delay of nearly four decades, seeking issuance of foundational educational documents. Such an

extraordinarily belated claim, by its very nature, warrants strict scrutiny and cannot be entertained lightly. There is no illegality, perversity, or infirmity in the impugned action so as to warrant interference in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India. The grounds raised by learned counsel for the petitioner are wholly devoid of merit and do not persuade this Court to take a view different from that arrived at by the authorities concerned.

113. In view above, the impugned orders cannot be faulted on the ground urged by the petitioner, and the challenge so raised is devoid of merit. The case set up by the petitioner does not merit acceptance, either in law or on equitable considerations. The claim is fundamentally vitiated by illegality, resting as it does upon forged and unreliable documents, and therefore fails to invoke the discretionary and equitable jurisdiction of this Court.
114. In view of the foregoing analysis and the settled principles of law governing the field, this Court finds no ground whatsoever to grant any relief to the petitioner. The writ petition, being devoid of merit, is accordingly dismissed.
115. No order as to costs.
116. This Court places on record its appreciation for the valuable assistance rendered by Ms. Anushka Gupta in extensive research of the judgments while preparing the present order. Her commendable efforts constrained me to note that she executes the entrusted task with due diligence.

(Mrs. Manju Rani Chauhan,J.)

April 03, 2026

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