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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8633-2014

Reserved on	Pronounced on	Uploaded on	Whether only the operative part of the judgment is pronounced	Whether the full judgment is pronounced
19.05.2026	03.07.2026	06.07.2026	Yes/No	Yes/No

SIMRANDEEP SINGH BRAR

...PETITIONER

VERSUS

THE GREATER MOHALI AREA DEVELOPMENT AUTHORITY AND
ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. K.S. Khehar, Advocate
for the petitioner.

Mr. R.S. Khosla, Senior Advocate with
Ms. Mankreet Sangar, Advocate,
Mr. Yogender Verma, Advocate and
Ms. Abadhya Singh, Advocate
for respondents No.1 and 5.

Mr. A.S. Khara, Sr. DAG, Punjab,
for respondents No.2 to 4.

Mr. V.K. Sachdeva, Advocate and
Mr. Pulkit Sachdeva, Advocate
for respondent No.6.

None for respondent No.7.

Mr. Ranjit Singh Kalra, Advocate,
for respondent No.8.



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SUVIR SEHGAL, J.

1. Petitioner has approached this Court, *inter alia*, for issuance of a writ of certiorari for quashing order dated 24.02.2011, Annexure P-4/T, whereby he was declared ineligible under the sportsperson category for allotment of a 400 square yard residential plot in Greater Mohali Area Development Authority (GMADA), Aero City, Mohali. He has also challenged to notification dated 11.04.2013, Annexure P-12, as well as sought a consequential direction for allotment of a residential plot under the sportsperson category.

2. Petitioner claims that he represented India in the Asian School Games in the game of Cricket during the year 2001-02 and was issued a Grade 'A' Sports Gradation Certificate, Annexure P-2/T, by the Sports Directorate, Punjab. It has been contended that petitioner has been wrongly denied consideration under the sportsperson category despite his sporting achievements. Counsel has also made a reference to policy instructions dated 10.12.1997 as well as subsequent instructions dated 18.08.2008 to assert that a uniform gradation policy should be framed for grant of benefits to sportspersons. It is his argument that as impugned policy, Annexure P-12, is in contravention of the Government instructions, it deserves to be set aside. A strong reliance has been placed by counsel for the petitioner upon judgement in **Alamdeep Singh Versus State of Punjab and others** Law Finder Doc ID #1561131, to urge that certificate, Annexure P-2/T, granted to petitioner has been recognised by Ministry of Youth Affairs and Sports, Government of India and on its basis, petitioner has been appointed to PCS



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3. Writ petition has been contested by official as well as private respondents for filing separate responses. It has been submitted that brochure, Annexure P-1, governing allotment of plots specifically provides that in case of sportsperson, applicants should be a medal winner in international games or a mountaineer fulfilling the prescribed conditions. It has been argued that petitioner does not satisfy the eligibility criteria and he is not entitled for the allotment of a plot.

4. Counsel for GMADA has specifically pointed out that Scrutiny Committee examined petitioner's case and found that participation in the Asian School Games in Cricket does not fall within the categories prescribed in the brochure and therefore, petitioner's case has been rightly rejected.

5. Counsel for respondents have placed reliance upon **Rohitash Kumar and others Versus Om Prakash Sharma and others, (2013) 11 SCC 451; The State of Kerala Versus M. Vijayakumar and others, Law Finder Doc ID #2880837 and Harbilas Rai Bansal Versus State of Punjab and another (1996) 1 SCC 1.** It has been stated that judgment in **Alamdeep Singh's case**, relied upon by petitioner, is under challenge in LPA, which is pending.

6. We have heard counsel for the parties and considered their submissions besides examining the record relied upon by them.

7. The controversy lies in a narrow compass. The terms and conditions contained in brochure, Annexure P-1, constitute the governing criteria for allotment of residential plots. As per the brochure, 2% of the plots have been reserved for "sports persons who are medal winners of Olympics, Commonwealth or Asian Games, mountaineers who have scaled



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Mount Everest and possess the requisite certificate from the competent authority”. Under the heading reserved categories, brochure further provides as under:-

“xi. in case of Sports Persons, the applicant should be Medal Winner (For Gallantry Award Winner) of Olympics, Commonwealth or Asian Games, Mountaineers who have scaled Mount Everest and possess the requisite certificate awarded by the Indian Mountaineers Foundation duly countersigned by the Ministry of Youth Affairs and Sports Government of India.”

8. A perusal of the above reproduced clause shows that it has restricted the eligibility under the sportsperson category to medal winner of Olympics, Commonwealth Games or Asian Games and certain mountaineers. Petitioner does not claim to be a medal winner in any of the specified events. His claim rests upon participation in Asian School Games in Cricket and possession of a Grade ‘A’ Sports Gradation Certificate, Annexure P-2/T. Merely because he possesses a Sports Gradation Certificate does not *ipso facto* confer a right to allotment upon him. The eligibility for allotment is required to be tested strictly in accordance with the brochure. It is well settled that terms of a scheme or advertisement are binding on all participants and cannot be altered after the process has commenced.

9. Record shows that petitioner's application was examined by a Scrutiny Committee and he was found to be ineligible as his sporting event did not satisfy the eligibility condition prescribed for the reserved sports person category. No material has been placed before this Court to demonstrate that this decision suffers from arbitrariness, *mala fides* or patent illegality, warranting interference under Article 226 of the Constitution of



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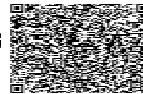
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10. Reliance placed by petitioner upon the judgment in *Alamdeep's case (supra)* is misconceived. This judgement is clearly distinguishable on facts as well as in law. In *Alamdeep's case (supra)*, a Single Bench of this Court was dealing with appointments made under the Punjab Recruitment of Sportsmen Rules, 1988 (for short "1988 Rules"). The issue before the Court was whether certain candidates satisfied the statutory definition of "sportsman" contained in aforesaid rules for purpose to civil service and connected posts. This Court examined the scope of 1988 Rules and eligibility of selected candidates with reference to statutory regulatory framework.

11. In the present case, dispute does not arise from recruitment to civil service under 1988 Rules. Rather, it concerns allotment of a residential plot under a housing scheme governed by an independent brochure prescribing separate eligibility conditions. This Court is not concerned with the broader concept of sportsman under statutory recruitment rules, but with the compliance of the express conditions contained in the brochure. Therefore, the ratio of *Alamdeep's case (supra)* cannot be mechanically extended to override the eligibility criteria expressly incorporated in the brochure governing the present allotment.

12. Petitioner participated in Asian School Games whereas the brochure specifically contemplates medal winners of international senior events such as Olympics, Commonwealth Games or Asian Games. Once the eligibility condition is clear and unambiguous, the Court cannot rewrite the scheme by enlarging the category of eligible candidates nor can the Court

direct the official respondents to reframe the scheme to *suit* a particular

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applicant. Doing so would amount to substituting judicial wisdom for policy choices consciously made by the competent authority.

13. Challenge to notification dated 11.04.2013, Annexure P-12, also does not merit acceptance. This notification was issued pursuant to deliberations undertaken by the government and no ground has been established to hold that the policy decision suffers from manifest arbitrariness or constitutional infirmity warranting judicial review. Reference made to the policy instructions dated 10.12.1997 as well as 18.08.2008 would not advance the petitioner's case as these instructions specifically provide for reservation of seats for sportspersons in technical and medical institutes as well as preferential treatment in services of the State Government. These policy instructions cannot be extended to apply to the policy framed by the government for reservation of residential plots for sportsperson. Challenge to notification, Annexure P-12, is therefore repelled.

14. For the afore-going reasons, this Court does not find any merit in the writ petition, which is dismissed.

15. Pending miscellaneous application(s), if any, shall also stand disposed of.

(SUVIR SEHGAL)
JUDGE

(VIKAS SURI)
JUDGE

03.07.2026
sheetal

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No