

**RA-LP-52 OF 2015 IN
LPA No.1280 of 2014**

State of Punjab & others Vs. Monika & others

Present: Mr. Somesh Gupta, Advocate, for applicant-respondent No.3.

The present is an application filed by applicant-respondent No.3 Jaswinder Singh son of Kishore Chand for review of the order passed by this Court on 07.07.2015, whereby benefit of relaxation in marks meant for the candidates of Other Backward Classes (OBC) was not extended to the said applicant.

This Court has found that since the candidate has appeared in the entrance test, as a General category candidate, he cannot seek relaxation in marks for the reason that, in fact, he belongs to OBC category.

The argument of learned counsel for the applicant is that it was by mistake, the applicant filled online application as a General category candidate, but has represented soon after the examination was conducted on 31.12.2013 to take benefit of marks as OBC candidate, which benefit has not been granted to the applicant.

We do not find any merit in the argument raised. Though in the writ petition, there is no averment that the applicant-respondent No.3 made representation on 31.12.2013, but it is asserted that it was a subsequent plea. The applicant stated that he attached a legal notice as Annexure P-17 in which reference was made to seek correction of his status on 31.12.2013. The fact remains that there is no assertion to the effect that he sought correction in the online filling process.

We also find that the admit card Annexure P-7 permitting the applicant to appear in the entrance test on 28.12.2013 clearly stipulates that

the applicant belongs to General category. Thus, even before the examination, the applicant was made aware that he is a General category candidate, but the applicant has not disputed his category as a General category before appearing in the test on 28.12.2013. Since the applicant appeared as a General category candidate, he cannot be granted relaxation in marks for the reason that he belongs to OBC category.

Consequently, we do not find any error apparent on record, which may warrant review of the order dated 07.07.2015.

Dismissed.

**[HEMANT GUPTA]
JUDGE**

**[LISA GILL]
JUDGE**

28.08.2015
Vimal